

Regulatory Services/Licensing  
222 Upper Street, London  
N1 1XR

Report of: Director Community Safety, Resilience and Security

Meeting of: Licensing Sub-Committee

Date: 14/03/2024

Ward: Highbury

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## Subject:

# PREMISES LICENCE NEW APPLICATION

## Re: HUMDINGERS OF HIGHBURY - THE BAKERY, GROUND FLOOR, 88 HIGHBURY PARK, LONDON, N5 2XE

### 1. Synopsis

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

1.2. The application is for

- The sale of alcohol for on and off the premises on Monday to Sunday from 08:00 – 23:00
- The provision of live music on Monday to Sunday from 08:00 – 23:00
- The provision of record music on Monday to Sunday from 08:00 – 23:00

- The performance of plays from on Monday to Sunday from 08:00 – 23:00
- To permit the premises to remain open on Monday to Sunday from 08:00 – 23:00

1.3. 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	No: Four
Other bodies	No:

## 2. Recommendations

- 2.1. To determine the application for a new premises licence under Section 17 of the Licensing Act 2003;
- 2.2. These premises are not located in a Cumulative Impact Area.
- 2.3. If the Licensing Sub-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 4); and
  - ii. Any conditions deemed appropriate by the Licensing Sub-Committee to promote the four licensing objectives.

## 3. Background

- 3.1. This is an application for a new premises licence that was submitted on the 12<sup>th</sup> September 2023

- 3.2. The application received representation from the Council Pollution and Trading's Standards Teams, but these were withdrawn as additional conditions were proposed and agreed. These conditions can be found in Appendix 4.
- 3.3. The application did received representations from four residents. The applicant has subsequently provided a clarification letter for the residents.
- 3.4. A copy of this letter and the comments in respect of this letter from local residents are attached at Appendix 3.
- 3.5. The premises application was put on hold as planning advised that the premises planning consent was only for the hours of 0800 and 1800 on any weekday and between 0800 and 1400 on Saturdays and that they shall not operate at all on Sundays or Bank Holidays.
- 3.6. The applicant has since applied to amend these trading hours via a planning condition amendment application and this was granted in full in January.
- 3.7. The premises has applied for temporary event notices for the weekends from the 23<sup>rd</sup> - 25<sup>th</sup> February, 1<sup>st</sup> – 3<sup>rd</sup> March, 8 – 10<sup>th</sup> March 2024 to trail operating with alcohol on sale. At the time of writing this report no complaints have been received or any issues raised with these events.

## 4. Implications

### 4.1. Financial Implications

- 4.1.1. The Head of Finance reports that the applicant has paid the application fee of £190:00. Should the application be refused, the fee is not refundable.

### 4.2. Legal Implications

- 4.2.1. The legal implications are set out in Paragraph 2.
- 4.2.2. Legal advice will be provided at the meeting of the Licensing Sub-Committee as necessary.

### 4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

- 4.3.1. The Licensing Sub-Committee need to consider the impacts that that proposals will have on the environment. An impact is defined as any change to the environment, whether positive or negative, wholly or partially resulting from Council activities. Almost all human activity has some impact on the environment, and it is very unlikely that any activity will not have any implications.

#### 4.4. **Equalities Impact Assessment**

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 4.4.2. An Equalities Impact Assessment is not required in relation to this report, because this is a decision relating to a Premises Licence application under the Licensing Act 2003.

#### 4.5. **Planning implications**

- 4.5.1. No planning concerns as hours were amended in January for the hours applied for as part of this licence application.

## 5. **Conclusion and reasons for recommendations**

- 5.1. That the Licensing Sub-Committee determines this application.

#### **Appendices:**

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: response from applicant and reply from residents
- Appendix 4: suggested conditions and map of premises location.

#### **Background papers:**

- None.

**Final report clearance:**

Authorised by:

Terrie Lane

**Licensing Manager**

Date:

05/03/2024

Report author: Licensing Service

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

**Appendix 1**

**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**

Richard Samuel Watson *(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 <b>88 Highbury Park</b>			
<b>Post town</b>	London	<b>Postcode</b>	<b>N5 2XE</b>

Telephone number at premises (if any)	<b>[REDACTED]</b>
Non-domestic rateable value of premises	<b>£ 0</b>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **appropriate** **Please tick as appropriate**

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
	i as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
	ii as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

**(A) individual applicants** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	<del>Mrs</del>	<del>Miss</del>	<del>Ms</del>	Other Title (for example, Rev)	
<b>Surname</b> Samuel Watson			<b>First names</b> Richard		
<b>Date of birth</b> [REDACTED]			Please tick		
<b>Nationality</b> <b>British</b>					
Current residential address if different from premises address		88 Highbury Park			
Post town	London			Postcode	N5 2XE
<b>Daytime contact telephone number</b>			[REDACTED]		
<b>E-mail address (optional)</b>		info@humdingers.org.uk			

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)

**Second individual applicant (if applicable)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> or over		I am 18 years old		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(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
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Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD		MM		YYYY			
1	2	0	2	2	0	2	3

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

DD		MM		YYYY			

<p>Please give a general description of the premises (please read guidance note 1) Community hub Bakery-Coffee Shop- Pop up restaurant in the evening</p>
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

NO
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What licensable activities do you intend to carry on from the premises?

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

Provision of regulated entertainment (please read guidance note 2)	YES
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a)	plays (if ticking yes, fill in box A)	YES
b)	films (if ticking yes, fill in box B)	NO
c)	indoor sporting events (if ticking yes, fill in box C)	NO
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	NO
e)	live music (if ticking yes, fill in box E)	YES
f)	recorded music (if ticking yes, fill in box F)	YES
g)	performances of dance (if ticking yes, fill in box G)	YES
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	YES

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	NO
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	YES

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

# A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	Y E S
Day	Start	Finish		Outdoors	
				Both	
Mon	08.00	23.00	<b><u>Please give further details here</u></b> (please read guidance note 4)  Poetry reading and story time		
Tue	08.00	23.00			
Wed	08.00	23.00	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur	08.00	23.00			
Fri	08.00	23.00	<b><u>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</u></b> (please read guidance note 6)		
Sat	08.00	23.00			
Sun	08.00	23.00			

**B**

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

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><u>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</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	ye s
Day	Start	Finis h		Outdoors	
				Both	
Mon	08.00	23.00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	08.00	23.00			
Wed	08.00	23.00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur	08.00	23.00			
Fri	08.00	23.00	<b>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</b> (please read guidance note 6)		
Sat	08,00	23.00			
Sun	08.00	23.00			

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	yes
Day	Start	Finish		Outdoors	
				Both	
Mon	08.00	23.00	Please give further details here (please read guidance note 4) Background music		
Tue	08.00	23.00			
Wed	08.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	08.00	23.00			
Fri	08.00	23.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	08.00	23.00			
Sun	08.00	23.00			



**G**

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	
Day	Start	Finish		Both	yes
Mon	08.00	23.00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00	<b>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</b> (please read guidance note 6)		
Fri	08.00	23.00			
Sat	08.00	23.00			
Sun	08.00	23.00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

<b>Name</b>	Richard Samuel Watson
<b>Date of birth</b>	██████████
<b>Address</b>	████████████████████ ████████████████████ ████████████████████
<b>Postcode</b>	██████████
<b>Personal licence number (if known)</b>	████████████████████

**Issuing licensing authority (if known)**  
ISLINGTON

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	08.00	23.00	
Tue	08.00	23.00	
Wed	08.00	23.00	
Thur	08.00	23.00	
Fri	08.00	23.00	
			<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)

Sat	08.00	23.00	
Sun	08.00	23.00	

**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 10)

It is our priority to keep the workplace a safe environment for our staff and customers. The Management team is well informed and trained accordingly to deal with any incidents that may occur, within the premises, or surrounding area.

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

CCTV cameras, we will be working with the community, to help prevent antisocial behaviour, Proof of age schemes- no proof, no sale, Accident/ Incident book to report.

**c) Public safety**

CCTV, Manager in place

**d) The prevention of public nuisance**

Ambient music will be kept to a level that will not affect our neighbours or customers.

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

Risk assessments and Health and Safety are already included in our Staff handbook, to help prevent accidents to young children.

**Checklist:**

**Please tick to indicate agreement**

•	I have made or enclosed payment of the fee.	X
•	I have enclosed the plan of the premises.	X
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	X
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	X
•	I understand that I must now advertise my application.	X
•	I understand that if I do not comply with the above requirements my application will be rejected.	
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	Robert Hunningher
Date	20.01.2023
Capacity	Applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Robert Hunningher			
11 Collins Tower			
hr@humdingers.org.uk			
Post town	London	Postcode	<b>E8 3BG</b>
Telephone number (if any)	07949775545		



If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

### 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. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall,

- or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Home Office online right to work checking service.**

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

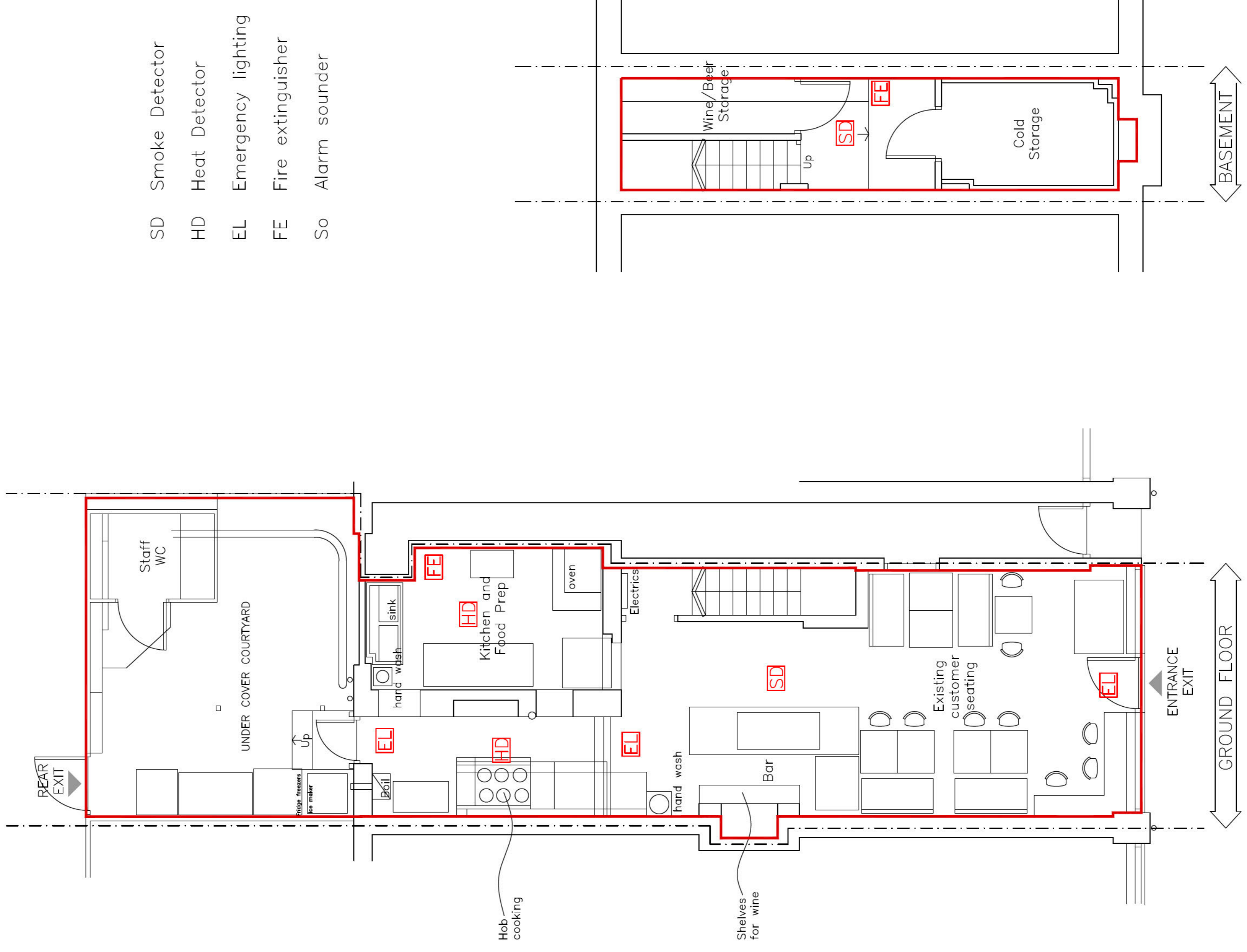
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Do not scale: All written dimensions must be checked on site before work commences on site or in shop. Figured dimensions take precedence over those scaled. Discrepancies, where identified must be reported immediately.  
 All work must be carried out in accordance with the Building Regulations and to the satisfaction of the Local Authority.



Client:  
**Humdingers The Bakers**  
 Project Title:  
**88 Highbury Park**  
**London N5 2XE**

Drawing Title:  
**Existing Floor Plans**

Date: 27.03.2023

Drawn: 1:50 @ A1

Dwg.No.: **HM.01.01 A**

**HARTLEYS PROJECTS LTD**  
 PO BOX 43391, LONDON  
 N5 1SZ 07919 893380

## Appendix 2

Rep 1

Reference number: 3606745

### Form details

Form name: Premises licence application - representation form

### Personal details

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Resident

Premises name: Humdingers of Highbury - The Bakery

Full postal address of premises: Ground Floor, 88 Highbury Park, London, N52XE

Licence application reference number (if known): WK/230024595

### Licensing objectives

Public nuisance: We wish to support local businesses and would love to support this local business. However, this application is unreasonable. The business is currently a lovely bakery/small cafe with outdoor seating operating during the day. It primarily has a coffee/brunch/lunch trade. We believe it closes in the late afternoon. The application, however, is for live music and the sale of alcohol [on and off the premises] - as well as being open - until 23:00pm, 7 days a week. We are a residential home situated opposite the premises. We both work full time and need to sleep well and rise early. We are very concerned about the public nuisance aspect of the possibility of alcohol and live music until 23:00pm every single night of the week. The planning committee should consider the geographic context of this application: we are residents who live within the 'match day' pub/restaurant zone and so already compromise on noise/public nuisance/traffic levels on match days. The area is very finely balanced between pubs/restaurants/cafes etc. We are expecting our first baby and next door have a baby who is just 12 months old. Our bedroom faces the street. There is no immediate tube station and so - as has happened with other restaurants and pubs in the area - people congregate on the street waiting for Ubers and taxis late at night. We question what consuming alcohol 'off premises' comprises of. The noise volume, presence of people and risk of public nuisance will only be heightened by the extended hours of alcohol sale. We would NOT object to this being an evening restaurant with the sale of alcohol prohibited to that accompanied with the sale of food and without live music. Other restaurants in the area must have similar licences. That would reduce numbers [the number of covers in a restaurant is limited], reduce noise [no loud music], and reduce the risk of public nuisance as people who consume alcohol with food tend to consume less and are less likely to socialise in large and noisy groups. We question if 23:00 is a little late for a venue in a residential area during weekdays and would not oppose 22:00. We are sure there is a compromise solution for this decent local business - and we would love to support them -

but subjecting local residents with full time employment and young children to live music/alcohol sale until 23:00pm every single night of the week is completely unreasonable, not in keeping with the residential area, and a clear risk of heightened public nuisance.

Crime and disorder: See our comments above on public nuisance. To the extent that consumption of alcohol always increases the risk of crime and disorder we repeat our remarks here.

Rep 2

May I register my opposition to the following application:

Application reference: WK/230024595

Applicant: Humdingers of Highbury - The Bakery, Ground Floor 88 Highbury Park N52XE

I am a student studying veterinary medicine and I also have a one year old baby, a venue serving alcohol and having loud music until 11pm right across the road from my home would be hugely disruptive to my life and impact my baby's sleep and my own studying and general peace.

Thanks

[REDACTED]

Rep 3

To whom it may concern,

We would like to object to the request for later licensing at Humdingers bakery on the grounds of the prevention of public nuisance.

This is from [REDACTED]

Humdingers has requested a late license and to play music from 8.00-23.00, 7 days a week. There are residential flats above the cafe and in the streets at the rear of the cafe. Late night music is a disruption to the people living here and in the streets that surround the cafe. In particular many bedrooms are located at the back of the building as are the yards and kitchens for the cafe where there will be particular noise when humdingers are cleaning up at the end of the night.

Best Regards

Rep 4

I am writing to oppose the licence which has been applied for by Humdingers of Highbury, The Bakery, Ground Floor, 88 Highbury Park, N5

That stretch of highbury Park has a number of restaurants and coffee shops which sell alcohol and I am not opposing Humdingers having an alcohol licence on the same grounds with food and in line with their alcohol hours.

This area is very firmly in the heart of Arsenal and thus gets a big match day travelling crowd all of whom use the various pubs and restaurants. There are already issues on match day which would fall under antisocial behaviour and causing public nuisance.

I think the council should consider public nuisance grounds and thus serving alcohol with food would be acceptable, however I oppose the notion of live or recorded music at any time. It is a small venue and the surrounding area is mainly residential.

As I have said the area is a family area with many residents including small children and I urge the council to consider that they have an obligation to ensure the protection of children from harm;.

There is no requirement for that venue to be a bar or have live bands as there are many options locally available who already offer that service.

[REDACTED]



# HUMDINGERS

Dear Residents,

Thank you for taking time and raising your concerns. We would like to address all issues raised and assure you that our primary focus is to create a pleasant and community-oriented environment.

Firstly, we want to clarify that our intention is not to operate as a late-night establishment. Our proposed serving hours for alcohol are from 8am to 11pm, aligning with the typical hours for dining. This means that we will not be engaging in vertical drinking or encouraging excessive consumption. However, this does not mean that we will be open till 11pm daily.

The live music in our application is aimed at supporting local musicians and occasionally hosting live music evenings. We believe this will bring vibrancy to the community and create an enjoyable atmosphere for our guests. However, we will ensure that the volume levels are regulated and do not create a disturbance for the neighbours.

Our operating hours will be from 7am to 10pm, morning and early afternoon trading as an already beloved café and, in the evening, as a restaurant cafe. We understand the concerns about being located near Arsenal, but we want to clarify that we do not have any TVs onsite. Our focus is on providing a dining experience where drinks are served alongside meals, rather than catering specifically to pre-football crowds.

Humdingers Cafe aims to be a valued member of the local community, offering a welcoming space for residents to enjoy quality food, drinks, and occasional live music. We are committed to being responsible and considerate neighbours, ensuring that our activities do not cause any nuisance or inconvenience.

Our neighbours are our customers and what keep our business alive. We have been so grateful from the day we opened, almost a year now, for all the support from the surrounding community, and intent to keep this relationship strong.

If you have any further questions or concerns, we are more than willing to address them all. We value your feedback and hope to work together to create a positive and vibrant neighbourhood.

Yours sincerely,

Robert Hunningher, BEM

Humdingers Catering Ltd

## Responses to letter

Dear Niall,

Hope you are well.

Thank you for forwarding the letter from the applicant.

Obviously it's a lot of nice words designed to appease but nothing that could ever be enforceable if we run into noise and disturbance issues in the future.

Just so I'm clear - is it possible to make conditions to a license along the lines they seem to be saying they wish to operate:

- a) a condition they only serve alcohol with food?
- b) a condition there is no vertical drinking?
- c) a condition live music be 'occasional' (their word), perhaps limited to Friday and Saturday nights? Or limited to four sessions a month?
- d) a condition they 'regulate noise levels'? (How does a business even do that if it's basically opposite our bedroom window?)
- e) Why do they want an 11pm license if their proposed operating hours are until 10pm?

Just trying to gauge how creative and individual a license and its conditions can be to suit the promises they seem to want to make. The letter is meaningless - and leaves us vulnerable - unless their suggestions are the actual terms of the license.

Presumably if the applicant means what they say in their letter then they would not oppose it being formalised in the granting of the license in terms similar to the above.

Thanks ever so much,

Second

Dear Niall,

Just to clarify my earlier email, I'm not saying we would agree to those conditions at all - merely asking if they are a possible power of the committee?

Our primary position is plain: we object.

Thanks for your help,

Third response

Hi Niall

Further to your email on Friday and the letter from the owner Robert Hunningher, I have had the opportunity to look in more detail at the application for this licence.

This has actually raised more questions than answers.

The application for the licence is a Mr Richard Watson, who is the owner of a business [REDACTED] [REDACTED] doors away.

Clearly I have no knowledge or information regarding the business arrangement between Mr Watson and Mr Hunningher, but I am curious as to why the owner of the premises is not the one applying for the licence.

If the licence is not in Mr Hunningher's name, does this affect how any complaints could be dealt with?

Do the council look into the motivation behind someone who is not the owner of the business applying for the licence.

Maybe it's not unusual in the catering business but I wanted confirmation from you that the council are fully aware of what ever the partnership/business arrangements are.

Additionally I would be grateful if you could please send me over the procedure you reference in your initial email.

I'm not sure how familiar you are with the bakery. It is in a run of commercial shops all of whom have housing above them. There is a housing association estate opposite, as well as 4 houses.

I live in one of those 4 houses, and I have enclosed a photograph (taken from my doorstep) to give you an idea of how close we are to this premises. I would suggest 12-15 metres door to door. (Humdingers is the yellow building).

Thus I am puzzled by the owners assertions that by hosting live music evenings he “will ensure that the volume levels are regulated and do not create a disturbance for neighbours”

He does not say HOW he will ensure this, and given the close proximity of a large number of residential properties and the very small nature of the venue I still object to the proposal of live music. As I have already said, there are already pubs very locally who have the space to host live music performances.

Finally the opening hours and the proposed hours for serving alcohol do not align.

I am not 100% convinced by the assurances that Mr Hunningher has made.

I would like to conclude - I am not against Humdingers having an alcohol licence to allow his clients to drink while having food, in line with the other similar premises in that run of businesses.

However when it comes to vertical drinking and live or amplified music I do object.

Please do not hesitate to contact me if you would like additional clarification about anything I have said.

Best wishes



**Suggested conditions of approval consistent with the operating schedule**

1. In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:
  - a) The police and, where appropriate, the London Ambulance Service, are called immediately;
  - b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
  - c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;
  - d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the
  - e) premises at all times during operating hours.
2. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record:
  - a) Any and all allegations of crime or disorder reported at the venue
  - b) Any and all complaints received by any party
  - c) Any faults in the CCTV system
  - d) Any visit by a relevant authority or emergency service
  - e) Any and all ejections of patrons
  - f) Any and all seizures of drugs or offensive weapons
  - g) Any refusal of the sale of alcohol
3. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:
  - a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct.
  - b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
  - c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
  - d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
  - e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
  - f) The system will record in real time and recordings will be date and time stamped;
  - g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.

- h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act 2018) within 24 hours of any request .
4. The licensee shall adopt a 'Challenge 25' policy and promote it through the prominent display of posters.
5. 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.
6. 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 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.
7. Said training shall be fully documented and kept at the premises (in digital or paper form), for inspection by Police or other authorised officers.
  - a) Training shall include, but not be limited to:
  - b) Challenge 25
  - c) Refusal of sales of alcohol
  - d) Identifying signs of intoxication and attempts by intoxicated persons to purchase alcohol
  - e) Correctly making incident log entries.
8. Chelsea Hooks" or similar bag retention devices are to be provided on the underside of tables and counters where customers might reasonably be expected to otherwise place their bags on the floor.
9. The premises licence holder shall endeavor to eliminate or minimise any nuisance arising out of its licensable activities. In doing so the premises licence holder will work with enforcement authorities where any issues are identified. A complaints procedure will be maintained in order that local residents have a means of contact if necessary. A direct telephone number for the manager at the premises shall be publically available at the times the premises is open. The telephone number is to be made available to residents and businesses in the vicinity.
10. There shall be no vertical drinking at any time the premises is open for licensable activities.
11. With regard to off-sales for delivery by third party:
  - a) The licensee will use reasonable endeavours to ensure that all couriers employed by and/or directly contracted to any third-party delivery service will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18.
  - b) Any person or automated system taking an order for the supply of alcohol on behalf of the premises licence holder will inform all customers that proof of age by way of

photographic driving licence, passport or a form of identification with the PASS hologram will be required before alcohol is supplied.

12. The licensee shall use reasonable endeavours to ensure that any delivery service employed to facilitate the delivery of alcohol robustly employs the challenge 25 proof age scheme, to be undertaken at the point of delivery to any customer.
13. The licensee shall use reasonable endeavors to ensure that any refusals will be logged by the delivery driver. Records of all refusals will be obtained from the delivery company and entered in the incident log
14. All alcohol sold in respect of off sales shall be in a sealed container(s).
15. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
16. In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence. This may include, upon the direction of the Licensing Authority, the appointment of an acoustic consultant accredited by the Institute of Acoustics or the Association of Noise Consultants to carry out a noise assessment of the venue and prepare a scheme of sound insulation and/or control measures to prevent local residents being unreasonably disturbed by noise coming from the premises, including amplified sound, mechanical noise or a gathering of patrons outside the venue. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used again for regulated entertainment.
17. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
18. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
19. In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence. This may include, upon the direction of the Licensing Authority, the appointment of an acoustic consultant accredited by the Institute of Acoustics or the Association of Noise Consultants to carry out a noise assessment of the venue and prepare a scheme of sound insulation and/or control measures to prevent local residents being unreasonably disturbed by noise coming from the premises, including amplified sound, mechanical noise or a gathering of patrons outside the venue. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used again for regulated entertainment.
20. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
21. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.





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