



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	2 June 2015		Bunhill

Delete as appropriate		Non-exempt
-----------------------	--	------------

**Subject: PREMISES LICENCE NEW APPLICATION
256-260 OLD STREET, LONDON EC1Y 1BE**

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
 - I. Supply alcohol for consumption on and off the premises: 09:00 to 02:30 the next day on Monday and Tuesday, 09:00 to 03:30 the next day on Wednesday, 09:00 to 06:00 the next day on Thursday and 09:00 to 09:00 the next day on Friday Saturday and Sunday;
 - II. live music and the performance of dance: 09:00 to 03:00 the next day on Monday and Tuesday, 09:00 to 04:00 the next day on Wednesday, 09:00 to 06:00 the next day on Thursday and 09:00 to 09:00 the next day on Friday Saturday and Sunday;
 - III. recorded music: 24 hours a day, seven days a week;
 - IV. late night refreshment: 23:00 to 03:00 the next day on Monday and Tuesday, 23:00 to 04:00 the next day on Wednesday, and Thursday, 23:00 to 05:00 the next day on Friday and Saturday and 09:00 to 04:00 the next day on Sunday
 - V. Opening hours of the premises from 09:00 to 03:30 the next day on Monday and Tuesday, 09:00 to 04:30 the next day on Wednesday, 09:00 to 06:30 the next day on Thursday and 09:00 to 09:00 the next day on Friday Saturday and Sunday.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	No
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 2
Other bodies	Yes: 1

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3 current licence in force at the premises;
- Appendix 4: suggested conditions and map of premises location.

3.2 The premises is currently licensed to on the exact same terms as this application. The applicants, A&A Albert House Ltd, are the landlords of the current licensees. The application is described as a "shadow" licence at page 4 of the application. The current licence is attached at Annex 3.

4. Planning Implications

4.1 No adverse observations have been received from Planning regarding this new 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 Bunhill Saturation or "Cumulative Impact Policy" of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

5.3 If the Committee grants the application it should be subject to:

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 4)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 4)

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

19.5.15
Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

wk/201580205

OK
cut
2 April 15

Application for a premises licence to be granted
under the Licensing Act 2003

Appendix: 1

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 A & A Albert House Limited

(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 256-260 Old Street		COMMERCIAL LICENSING 61 MAR 2015 PUBLIC PROTECTION DIVISION 122 UPPER ST. LONDON EC1H 1JQ		2/4/15 315-00 103239 48684 AF1	
Post town	London	Postcode	EC1V 9DD		

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£82,000

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

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name A & A Albert House Limited
Address Flemming House Wickhams Cay PO Box 662 Road Town Tortola, BVI
Registered number (where applicable) 602854
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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
 The premises are currently licensed under licence no. 11384-190913.

The application is for a "shadow" premises licence by the freeholder of the premises on the same terms as existing licence 11384-190913.

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					
			State any seasonal variations for performing plays (please read guidance note 4)		
Tue					
			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)		
Wed					
Thur					
Fri					
Sat					
Sun					

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	<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					
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur					
			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)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<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> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<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> (please read guidance note 5)		
Fri					
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	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon	0900	0300						
Tue	0900	0300						
Wed	0900	0400				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	0900	0600						
Fri	0900	0900				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	0900	0900						
Sun	0900	0900						

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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0000	0000			
Tue	0000	0000			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	0000	0000			
Thur	0000	0000			
			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	0000	0000			
Sat	0000	0000			
Sun	0000	0000			

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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0900	0300			
Tue	0900	0300			
			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	0900	0400			
Thur	0900	0600			
			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)		
Fri	0900	0900			
Sat	0900	0900			
Sun	0900	0900			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Thur			<p><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> (please read guidance note 5)</p>		
Fri					
Sat					
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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	2300	0300			
Tue	2300	0300			
Wed	2300	0400	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	2300	0400			
Fri	2300	0500	<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> (please read guidance note 5)		
Sat	2300	0500			
Sun	2300	0400			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0900	0230			
Tue	0900	0230			
Wed	0900	0330			
Thur	0900	0600			
Fri	0900	0900			
Sat	0900	0900			
Sun	0900	0900	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) From the start of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day.		

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

Name Alun Thomas	
Address c/o Thomas and Thomas Partners LLP 38A Monmouth Street London	
Postcode	WC2H 9EP
Personal licence number (if known) N/A	
Issuing licensing authority (if known) N/A	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0900	0330	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	0900	0330	
Wed	0900	0430	
Thur	0900	0630	
Fri	0900	0900	
Sat	0900	0900	
Sun	0900	0900	

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)

Please refer to the attached schedule of conditions

b) The prevention of crime and disorder

Please refer to the attached schedule of conditions

c) Public safety

Please refer to the attached schedule of conditions

d) The prevention of public nuisance

Please refer to the attached schedule of conditions

e) The protection of children from harm

Please refer to the attached schedule of conditions

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	<i>Thomas & Thomas</i>
Date	01/09/2015
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf of the Applicant

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)

Amy Catlin (FOR.32.2)
 Thomas & Thomas Partners LLP
 38a Monmouth Street

Post town	London	Postcode	WC2H 9EP
-----------	--------	----------	----------

Telephone number (if any)	020 7042 0418
---------------------------	---------------

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
 acatlin@tandtp.com

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.

Shadow Licence

356-360 Old Street

Proposed Conditions

1. The sale of alcohol is not authorised after midnight on any day on which music and dancing is not provided after midnight.

On any day that music and dancing ends between midnight and two o'clock in the morning the sale of alcohol shall cease when the music and dancing end.

The sale of alcohol shall cease at midnight on any Sunday on which music and dancing is not provided after midnight.

Where music and dancing end between midnight on any Sunday and 00:30 hours, sale of alcohol on that Sunday shall end when the music and dancing end.

Where music and dancing end between midnight and 02:00 on any Sundays immediately before a bank holidays the sale of alcohol on that Sunday shall cease when the music and dancing end.

The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours for the sale by retail of alcohol unless one of the following applies:
 - a) He is the child of the holder of the premises licence.
 - b) He resides in the premises, but is not employed there.
 - c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

3. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:

Children and Young Persons Act 1933

Cinematograph (Safety) Regulations 1955

Sporting Events (Control of Alcohol Etc) 1985

5. The licence shall be subject to the Council's standard conditions for Places of Entertainment.

6. The licence shall be subject to the Council's technical standards for Places of Entertainment.

7. The maximum number of persons accommodated at any one time in the premises shall not exceed the following: Back Room 100, Main Dance Area and Private Bar 350, Foyer Bar 50 and Swimming Pool Area 40.

8. The licence is subject to the following Additional Conditions referred to in the Standard Conditions for Places of Public Entertainment:

- ADDITIONAL CONDITIONS D: APPLICABLE TO PREMISES USING DOOR SUPERVISORS.
- ADDITIONAL CONDITIONS GO: APPLICABLE TO THE KEEPING OF GOOD ORDER.

9. The name and contact number of the person in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen by passers-by.

10. Notices shall be displayed on the premises:

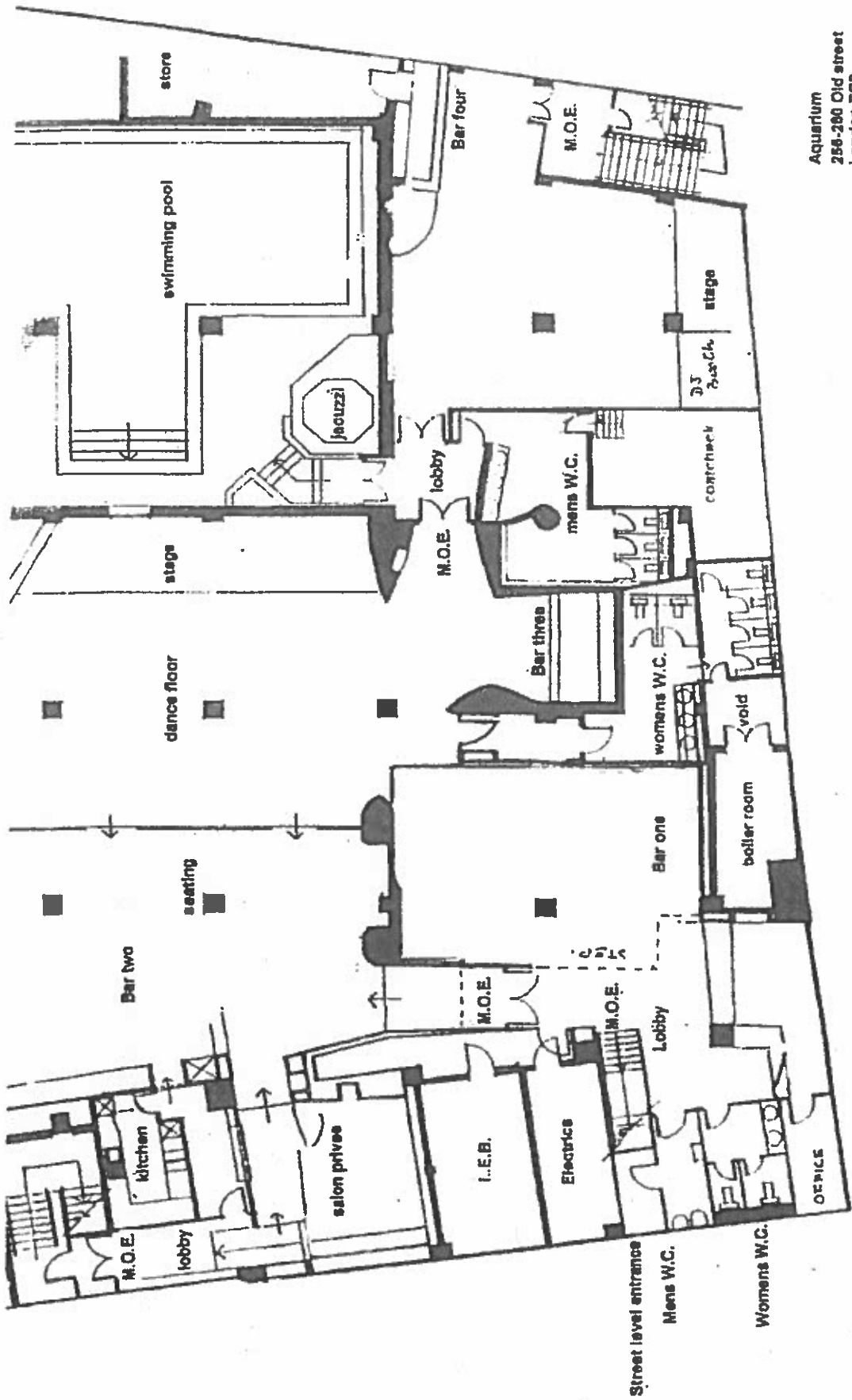
- a. With the telephone number of at least one local Taxi Cab company;
- b. Showing the Club's Rules of Management;
- c. Requesting patrons to leave the premises quietly and not to slam car doors.

11. CONDITIONS FOR SWIMMING POOL AREA:

- a. The maximum number of persons accommodated at any one time in the Swimming Pool area shall not exceed 40.
- b. A lifeguard shall be on duty in the Swimming Pool area during the whole time that it is in use.
- c. The consumption of drinks in the Swimming Pool area shall be non-alcoholic and shall be served in paper or plastic materials.
- d. Patrons who appear to be intoxicated shall be prevented from entering the Swimming Pool area.
- e. A Steward shall guard the entrance to the Swimming Pool area the whole time it is in use.
- f. When the Swimming Pool area is not in use, the entrance shall be locked shut for the duration of the Club's opening hours.

- g. Swimming costumes must be worn by all persons using the swimming pool.
12. CCTV system shall be maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer within 24 hours of any request.
 13. No person shall be allowed in the premises under the age of 18 years when the licence is being used.
 14. All security staff shall be equipped with radios, linking them to the other security guards.
 15. All staff shall be trained in the premises emergency evacuation measures and first aid procedures.
 16. All exits at the premises shall be checked throughout the night.
 17. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
 18. Members of the security staff shall advise customers to respect the needs of local residents and to leave the area quietly.
 19. Security Officers registered with the Security Industry Authority shall be on patrol when the cabaret show is taking place, monitoring the audience and the performers.
 20. Tickets for the cabaret show must be purchased in advance. There shall be no ticket sales for the cabaret show on the door of the premises.
 21. Barriers shall be used outside the premises to control the customers for the cabaret show.
 22. The striptease shall be in a location where the performance cannot be seen from the street.
 23. The striptease entertainment shall be in a location where the performers/entertainers and the audience shall not be permitted to participate.
 24. Whilst striptease entertainment is taking place, no person under the age of 18 shall be on the premises. A clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by persons entering the premises with the following words '*No person under the age of 18 will be admitted*'.
 25. No coaches or limousines to park outside the premises during the hours of operation.

26. A notice shall be displayed in a prominent place to remind patrons to use the toilet facilities before leaving the premises.



Aquarium
 256-260 Old street
 London EC2

SCALE 1:100

PROPOSED

Your Premises License Application
Our Licensing/NI
Date: 30/04/2015



Premises License New

A & A Albert House Ltd

256 -260 Old Street
London
EC1V 9DD

**METROPOLITAN POLICE
SERVICE
Islington Police Licensing Team
Islington Police Station
2 Tolpuddle Street
London
N1 0YY**

Telephone: 07799133204
Email:
Licensingpolice@islington.gov.uk

Date 30th April 2015

Dear Sir/Madam

Re: New Premises License application: 256-260 Old Street London EC1V 9DD

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application for a New premises License as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the 'Bunhill Cumulative Impact Area', a locality where this is traditionally high crime and disorder and there are concerns that this application will cause further policing problems in an already demanding area. Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency services resources.

There are 19 licensed premises within a 250m radius of this venue.
18 of these are On-Licenses and 1 is an Off-License.

This application is for a Shadow license for a venue which currently has a license. There is nothing within the application that demonstrates to us that the venue will not add to the cumulative impact in the area if the license was ever put to use.

The hours requested for the sale of alcohol are as follows: 09:00 to 02:00 Monday and Tuesday, 09:00 to 03:30 Wednesday, 09:00 to 06:00 Thursday and 09:00 - 09:00 Friday - Sunday. These hours fall outside of the framework hours suggested within the Council Licensing Policy 2013-2017, those being 01:00 finish Sunday - Thursday and 02:00 finish Friday and Saturday.

Would this application would bring anything different or new to the area? If so it has not been explicitly stated.

Under the current license the venue operates as a late night club venue. The current license holders have policies in place which are not conditions on the license but they follow these policies in agreement with the Council and Police licensing teams. If a new license were to be issued we would want these policies to be added as formal conditions. Treating this as an application for a new license we would like the license to mirror the current modern licensing regime.

It is also important to note that the person named on the application as the proposed DPS has failed to supply their personal license number and a home address.

It is for these reasons that we are objecting to the application and propose that it is refused.

If the Committee is minded to grant the application then we would ask them to consider attaching the following conditions:

1. This license cannot be used while the other license number LN11384 or subsequent amendments to this licence is still in force at premises.
2. There will be no off sales of alcohol.
3. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full frontal head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.
4. Crime prevention literature will be placed in prominent positions in the premises and in all toilets used by visitors. Signs will be placed on the back of cubicle doors in the ladies and on the wall above the men's urinals. The content of this literature will be agreed and reviewed in conjunction with the local Police.
5. The venue will operate a computer based ID system which will operate at all times the venue is open and every person entering premises shall have their ID scanned and verified before entry
6. The venue will operate a full search regime, every person entering will be searched by door staff and search wands will be used. Persons re-entering the venue will also be subject to a further search.
7. A minimum of 3 working search wands will be used at all times.
8. There will be no entry or re-entry after 0100hrs on a Friday & Saturday.
9. A minimum of 8 SIA registered door staff be at the venue at all times it is open until 30 minutes after closing time.
10. There will be a minimum of two qualified/certificated designated first aiders at the premise during all times it is open.
11. A defibrillator and a person qualified in its use will be at the premise at all times it is open.

Should you wish to discuss the matter further please contact us on Mobile 07799133204 or via email, Licensingpolice@islington.gov.uk

Yours sincerely
Islington Police Licensing Team
Steven Harrington Pc 425NI
Pete Conisbee Pc 575NI

Licensing Authority Representation

Licensing Act 2003

Application: A&A Albert House, 256-260 Old Street EC1

I am submitting a representation on behalf of the Licensing Authority with respect to the application for:

- the sale of alcohol for consumption on and off the premises: 09:00 to 02:30 the next day on Monday and Tuesday, 09:00 to 03:30 the next day on Wednesday, 09:00 to 06:00 the next day on Thursday and 09:00 to 09:00 the next day on Friday Saturday and Sunday.
- live music and the performance of dance: 09:00 to 03:00 the next day on Monday and Tuesday, 09:00 to 04:00 the next day on Wednesday, 09:00 to 06:00 the next day on Thursday and 09:00 to 09:00 the next day on Friday Saturday and Sunday.
- recorded music: 24 hours a day, seven days a week;
- late night refreshment: 23:00 to 03:00 the next day on Monday and Tuesday, 23:00 to 04:00 the next day on Wednesday, and Thursday, 23:00 to 05:00 the next day on Friday and Saturday and 09:00 to 04:00 the next day on Sunday.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

Licensing Policy Considerations

Licensing Policies 1 & 2

Location, cumulative impact and saturation

Licensing Policy 7 & 8

Licensing Hours

Licensing Policies 9, 10,

Operating Schedules

Issues of Concerns

1. The application is in a cumulative impact which means that the onus is on the applicant to demonstrate that the application will not add to the cumulative impact.
2. The proposed measures are on the same terms as a premises licence currently being operated at the premises by different licensees however these do not include many of the measures that are currently implemented by the existing licence holder to promote the licensing objectives. There hasn't been any attempt to acknowledge the cumulative impact area where we are working hard to deal with the negative

aspects of the sale of alcohol on local communities. No bespoke mitigation measures have been proposed.

3. The area already has a high number of licenced premises and the density of premises in the area is 10 times higher than the London average.
4. Alcohol related crime, alcohol related violence and ambulance call outs in the area are high and significantly higher than the London average
5. The measures proposed in the operating schedule do not sufficiently rebut the presumption to refuse the application on the basis that the application will not add to the cumulative impact

Summary and recommendations

The measures proposed by the applicant in the operating schedule do not reflect the policies and procedures in currently operation at the premises.

The applicant has not demonstrated that the application will not add to the cumulative impact therefore in order to promote the licensing objectives it is recommended that this application is refused.

If the Committee is minded to grant the application the Licensing Authority recommends

1. Reducing the hours of licensable activity to the Council's Licensing Policy Core Hours.
2. Offer to surrender licence or that any licence granted to A&A Albert House cannot be used while the other license number LN11384 or subsequent amendments to this licence is still in force at premises.
3. Imposing any additional bespoke conditions proposed by the applicant prior to the hearing to include the current policies in operation at the premises.

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

30 April 2015

The Licensing Team
London Borough of Islington
222 Upper Street
London
N1 1XR

3 May 2015

BY EMAIL AND POST
KATIE.TOMASHEVSKI@ISLINGTON.GOV.UK

Our Ref: JHAO/AQU.0008.0001

Dear Sirs

A&A Albert House Limited – Landlord’s application for Shadow Licence

We act on behalf of The Aquarium Limited, which is the tenant of the basement and part of the ground floor of Albert House, 256/260 Singer Street, London. Our client operates a nightclub out of these premises under an on and off Licence in favour of Aquarium Management Limited.

It has come to our client’s attention that the landlord of the premises A&A Albert House Limited (“the Applicant”) has made an application for a “Shadow Premises Licence” in connection with the premises for a Licence on the same terms as our client’s existing Licence.

COMMENT ON LICENCE APPLICATION

Our client has operated a nightclub from the premises for coming up to 20 years and in that time has extended the conditions of its Licence to build up to the current Licence, as a result of its good track record of careful management of the premises by reference to the four Licensing objectives and the Council’s Licensing Policy.

The Applicant is seeking to be granted an identical Shadow Licence when it does not have that experience of good practice over the years.

The Applicant is our client’s landlord and has a substantial property portfolio. It is a property company whose registered office is in the British Virgin Islands but its head office is in Virginia in America. The Applicant is therefore highly unlikely to have any experience of the practical realities of running premises in the UK with the sort of Licence applied for. The application is for a Licence in relation to premises that are neither occupied nor managed by the Landlord, which has no intention of occupying or managing the premises at any time.

Our client holds the basement and part of the ground floor of the building on a lease it is entitled to renew. The upper floors, being the ground to sixth floors of the building have been let to a serviced office company called Esselco Office Properties Limited (“Essleco”) on a 20 year lease. Therefore

the statement on page 2 of the Applicant's Application for a Premises Licence "I am carrying on or proposing to carry on a business which involves the use of the premises for Licensable activities" is incorrect.

It is noted that on page 4 of the Application, under Part 3 Operating Schedule, the Applicant has not indicated whether it will be operating indoor sporting events from the premises. Given that the Applicant has indicated it would like to grant a lease of the basement to be used as a health club and gym, it appears that the application does not set out all of the licensable activities which the Applicant asserts it intends to carry on from the premises.

In addition in relation to section F of the application, although the Applicant indicates that it will be playing recorded music indoors on the premises, it does not set out the days and timings for when this will take place.

Of particular concern is section J of the application which provides that the Applicant, as an absentee landlord, intends to supply alcohol for consumption both on and off the premises, again in circumstances where the Applicant does not intend to occupy the premises itself at any stage and will have no control over the supply of alcohol certainly to the upper parts which have already been let under a lease for 20 years without this sort of restriction.

The Applicant has however indicated that it would like to let our client's part of the building to Esselco as well, for use by them as a health club and gym and to open up the basement so that there is direct access between it and the rest of the building. Given this application, it must surely be the case that the Applicant wishes to operate a nightclub and bar from the basement premises as well. The current premises licence relates to the whole building. If the Applicant were to be granted a licence on exactly the same terms as our client's existing licence, it would amount to an expansion of the licence, because our client can only operate out of the basement and part ground floor, whereas if the Applicant succeeds in granting Esselco a lease of our client's space in a few years time, then Esselco, as the Applicant's tenant, could operate out of the whole building, consisting of some 8 floors.

Alternatively, it may be that the landlord wishes to grant Esselco the right to operate a nightclub from the premises alongside our client. Either way this would amount to a significant expansion of the use of our client's licence.

Our client has applied to renew its lease. The landlord is looking to impose as short a term and as low a rent as possible. The trial of those renewal proceedings is taking place on 8 and 9 September 2015. As our client has the current exclusive right to occupy the basement and part ground floor of the building, the timing of this application indicates that it is solely being made for the purposes of improving the landlord's arguments at that trial.

We believe the following factors should be taken into account when considering whether the Council's Licensing Policy has been considered in the context of this application and in particular the four Licensing objectives from the *Licensing Policy for Islington 2013 – 2017*.

1. The prevention of crime and disorder

This can only be managed by strong management control and effective training of all staff, so that they are aware of the importance of the Premises Licence and the requirement to meet the four

Licensing objectives. This includes the need for proper training of staff and supervision in relation to such key areas as ensuring alcohol is not sold to underage people, not allowing drunk and disorderly behaviour on the premises, vigilance in preventing the use and sale of illegal drugs, not permitting violent behaviour outside of the club and not permitting the admittance of children.

As mentioned above, the Applicant in this case has let the upper ground to sixth floors of the building at 256-260 Old Street to Esselco, which is a company which specialises in providing high-class serviced offices. In the process of the application by our client to renew its lease, the Applicant has indicated that it would like to remove the Applicant from the premises and to grant the basement area occupied by our client to Esselco for the purposes of running a health club and gym from the premises. Therefore the Applicant itself has no intention of being in control at any stage of the day-to-day management of the premises in question and of acquiring the management skills and personnel to prevent the occurrence of crime and public disorder or to monitor the successful regulation of these issues by a future tenant.

The current Premises Licence relates to the whole building, but in practice because our client only occupies the basement area, and part of the ground floor (as the entrance area to the street), this restricts the sale of the alcohol by reference to the specified number of people provided by the conditions to the Premises Licence.

It should be noted that because it is the landlord's intention ultimately to let the whole of the building to the tenant of the upper parts, if you have a situation where suddenly the basement nightclub area is in effect opened up to interact with the serviced office area above, then not only will the Licence apply to the basement area, but also to all of the five upper floors above. It is believed that it will be virtually impossible to police or control the expansion of the Licence in this way and the lease of the upper parts has already been granted so the terms have already been agreed with Esselco. Furthermore, because the tenant of the upper floors in the very nature of its business will be dividing the upper floors into numerous small units, which it will let out for short term lets under contractual licences. Many of these licencees are likely only to occupy the space in the upper floors for short periods of time. Given this particular dynamic, there could also be issues in respect of these licencees being permitted to pre-load by bringing their own alcohol onto the premises and also permitting children to attend the premises.

At the current time our client ensures that their business is very tightly controlled and supervised, to the extent that a senior man from our client is present on the premises at all times when the Licence is operating. The door and bar staff are all currently employed by our client and understand that it is a fundamental requirement of our client's business that the terms of the Premises Licence are complied with and that they operate their business with the purpose of promoting the Licensing objectives.

It is unclear from the face of the application whether it is the landlord's alleged intention to operate under the terms of the Licence at the same time as our client, although while our client remains in the premises the landlord will not be able to operate out of the basement area due to the fact that our client is entitled to sole possession of this area under the terms of its lease. The Landlord similarly has no right to operate out of the upper parts of the building let to Esselco. Therefore if the Applicant wished to operate the Licence it will be in circumstances where they would have no control over how it operated as the Applicant would not have any right of access

to the building for the purpose of allowing any of its own personnel to work from the premises in any way.

These are issues which do not apply to our client, due to careful management practices.

2. The prevention of public nuisance

We understand that the premises are located in a Cumulative Impact Area, which already has a high number of licenced premises and that collectively this can lead to problems related to the Licensing objectives. I refer to the issues concerning the Bunhill Cumulative Impact Area below. The Applicant makes no reference to this in its application and does not demonstrate how it will address potential concerns in order to avoid contributing to the problems. It is difficult to see how the Applicant, based in America, will be able to take the necessary supervisory steps, as an absentee landlord, to prevent the sort of public nuisance issues such as disorder in the street at closing time, outside drinkers blocking the pavement, noise from customers leaving or drinking in outside areas or preventing underage drinking.

These are all areas which are currently very carefully controlled by our client at all times.

3. Public safety

The Applicant will have no ability to ensure that measures are introduced to promote public safety. The concerns indicated above are that because the application relates to the whole of the building at 256 – 260 Old Street, the application in effect amounts to an application to expand significantly the existing Licence to our client, due to the fact that our client can only operate in the basement of the premises and part of the ground floor.

4. Protection of children from harm

Again as the Applicant will not be in a position where it can ensure that it engages any personnel which can operate from the premises, it will not be able to introduce any control over the age of customers using the premises. In addition the Applicant will not be in a position where it can introduce restrictions to the lease (which has already been granted) to the tenant of the upper floors of the business which will prevent the licencees of that tenant from inviting or allowing children to attend the upper parts of the premises. We do not believe that any reference has been made to controls currently in place in relation to this aspect of the Applicant's application.

Islington Licensing Policy 2013 – 2017

Bunhill Cumulative Impact Area

It is noted that the Bunhill area has been designated an area of Cumulative Impact and Saturation and as a result there is now a guide-line framework of closing times for businesses applying for new and variation applications which in relation to nightclubs sets out a closing time of 1am on Sunday to Thursday, and 2am on Friday and Saturday and in relation to restaurants, cafes and bars a closing time of 11pm on Sunday to Thursday, and midnight on Friday and Saturday.

It is also noted that the Licensing Authority asserts that it will encourage and support businesses that are unlikely to add to the Cumulative Impact in terms of crime, disorder and public nuisance and we would suggest that a business such as our client's falls within this category, which is why they have gained the confidence of the Licensing Authority to be granted the current Licence. In the circumstances set out above it is submitted that it would be very dangerous to allow the Applicant to be able to take on an identical Licence, unless very strict conditions should be imposed, extending beyond the scope of the Proposed Conditions attached to the application.

It is noted that this is the only part of Islington that meets the criteria for having an Area Action Plan known as the Finsbury Local Plan to manage future population and economic growth in the area, and that because of the significant increase in late night licenced premises over the last ten years and the expected growth in this sector, the area needs to be carefully managed to avoid conflict with residents.

The proposal for a Premises Licence for the whole building is likely to make it difficult to manage what amounts to an expansion of an existing Licence in a way to ensure that the Licensing objectives are not undermined.

Licensing Policy 5

It does not appear that the Applicant has put in place measures to ensure that their customers do not contribute to problems of anti-social drinking, for example in introducing restrictions on the use and consumption of alcohol in particular for the upper floors of the building. The Applicant has not explained whether the lease to Esselco has been granted for anything other than office use.

Licensing Policy 6

Also it is not known whether the Applicant has planning consent for the intended use and hours of operation in particular in relation to the operation of the upper floors of the premises.

Licensing Policy 7

It is noted that the Licensing Authority is concerned about the cumulative impact that the proliferation of late night venues in the area is having on the promotion of the Licensing objectives.

In particular here, it is noted that although this is an application for a Shadow Licence it is an application for a new Licence. Despite this no reference is made to the introduction of the core hours policy referred to above, which we understand is required with any application for a new Licence.

We understand that the Licensing Authority is permitted to restrict hours of opening where representations are received and it is appropriate to promote the Licensing objectives and that may be appropriate in this case.

We also understand that the Licensing authority may impose further limitations in hours upon review of the Licence.

However, we should like to point out that we understand that there have been no causes of nuisance or anti-social behaviour in relation to our client's current Licence and therefore our client should be treated as a business unlikely to add to the Cumulative Impact in terms of crime, disorder and public

nuisance and that this application should therefore be treated as a completely separate application to our client's application.

Our client would be operating as a nightclub at different times to normal office hours, when it is anticipated that the licensees of the tenant of the upper floors will be using their premises.

In contrast, it is understood that the landlord would like to carry out development works to our client's basement premises so that they could be opened up to the upper floors for easy access without having to use a separate street access.

Licensing Policy 8

It is noted that when dealing with new and variation applications the Licensing Authority will give more favourable consideration to applications with the following closing times:

Public houses and bars 11pm – Sunday to Thursday

Midnight – Friday and Saturday

Nightclubs 1am – Sunday to Thursday

2am – Friday and Saturday

Restaurants and cafes 11pm – Sunday to Thursday

Midnight – Friday and Saturday

It is noted that under paragraph 61, applicants for Premises Licences falling outside the above hours are expected to fully explain in their operating schedule the arrangements that they will put in place to ensure that the premises do not add to the Cumulative Impact. There is no such explanation in the Applicant's application. It is also noted that operating schedules with insufficient detail are more likely to be refused, attract limitation in hours, or have conditions imposed on them by the Licensing Authority.

We also note that there is no presumption that even an application within the above hours will automatically be granted in all cases where relevant representations are made.

Licensing Policy 9

It is noted that the Licensing Authority seeks to encourage the highest standards of management in licenced premises and expects the operating schedule to describe how these standards will be achieved in relation to promoting the Licensing objectives. Also where representations have been received, the Licensing Authority will impose restrictions and conditions that are appropriate for promoting the Licensing objectives.

In particular it is noted that not only is no operating schedule provided by the Applicant, but also no steps have been outlined for the promotion of the Licensing objectives and whether they are satisfactory. In addition there has been no detailed risk assessment by the Applicant on its business.

Licensing Policy 10

It is understood that the Licensing Authority will take into account various factors in relation to the Applicant being able to demonstrate whether it is aware of best practice, it will be able to run its business lawfully and to demonstrate a track record of compliance with legal requirements.

Although it is appreciated that in many of these situations a landlord will be able to put in its own management to licensed premises or to grant a new lease in which there are certain restrictions, in this situation the Applicant/landlord has already granted a lease of the upper parts to a tenant which operates a serviced office business and the Applicant has not demonstrated that either it or Esselco has the required experience for running a business with the benefit of a Premises Licence with the sort of extended hours that are proposed in this case.

In contrast, our client, the current licence holder, has a proven track record of compliance, which is why it has been able to build up the type of Premises Licence, which its landlord in this case is seeking to adopt for its own ulterior purposes through this application process.

Licensing Policy 13

Although it is appreciated that a landlord in the Applicant's position could contend that it could employ people who could meet the Licensing objectives, in this case the landlord has already granted a lease of the upper parts of the building which makes no allowance for this.

Furthermore, the Applicant has no right to employ anyone who can operate from the basement and part ground floor of the premises because our client currently has exclusive possession of those premises. Even on the Landlord's case in the renewal proceedings, our client will remain in occupation for a further two years. The timings of this application therefore appear solely linked to the rent issues due to be considered by the Court on 8 and 9 September 2015.

Licensing Policy 17

It is also noted that the Applicant has not put forward any submissions in relation to a drug policy as part of any operating schedule.

Licensing Policy 21

Similarly the Applicant has not put forward a proposed dispersal policy in any operating schedule accompanying the Licence application and is unlikely to have the ability to control the dispersal of persons from the premises given that at the current time it has no right of access either to the basement or to the upper parts and given the terms of exclusive possession granted to the tenants of both parts of the building under their existing leases.

Model Pool of Conditions under the Licensing Act 2003

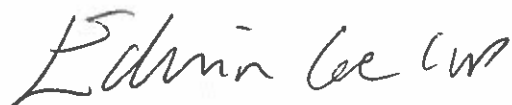
As the Applicant does not currently have the ability to attend either the basement or upper parts of the premises due to the lease under which both premises have been let by the landlord, granting exclusive possession, the landlord being the Applicant will not have the ability to comply with any of the conditions set out in this model pool of conditions.

As a result, the Licensing Authority is requested to consider in the very unusual circumstances of this particular case (where the Applicant has no intention of operating itself at any time from the premises for the purposes of the proposed Licence and has no ability currently to impose any of the required conditions on the current occupiers of the building and are prevented from imposing any such conditions on the tenants of the building), that this application for a Premises Licence should be refused or alternatively that restrictions in terms of the hours should be imposed to limit those to the core hours, particularly given the concerns about what would amount to an expansion of the Premises Licence currently held by our client.

It should also be noted that our client will not at any stage have the ability to expand the Licence in the way that the Applicant obviously intends, due to the fact that our client only has rights of occupation in relation to the basement area and that the upper floors of the building have already been let to another party on a lease of 20 years. It is the Applicant's proposed purpose of opening up the basement so that it can operate together with the upper parts in a way that will be impossible for the Applicant to control that will amount to such an expansion.

Our client is clearly very concerned at this step taken by the Applicant/landlord with the intention of causing additional expense to our client. At the same time our client would like to emphasize that it is of fundamental importance to our client's business that it upholds the Council's Licensing Policy set out above. Our client is particularly concerned to ensure that its current licence is not harmed or affected in any way by this Application by its landlord and that our client continues to be regarded as a good and trustworthy operator that sets a good example to other similar businesses in the area.

Yours faithfully

A handwritten signature in black ink that reads "Edwin Coe" followed by a stylized monogram or initials.

Edwin Coe LLP

Fitzsimons, Aiden

From:
Sent: 04 May 2015 00:00
To: Licensing
Subject: WK/2015 80905 - against

I am a residential neighbour and I am against the licence on the basis of public nuisance and crime and disorder. The late hours of clubs in the area fill the area with loud drunks who shout all night on Singer and Cowper street and disturb my sleep. There's music blasting out of cars, doors slamming, honking, the streets become a public toilet and there are bottles, beer cans, kebab wrappers, fliers, etc. filth all over the street. This goes for as well.

I am considering hiring lawyers to force Islington council to recall license on the grounds of all the disturbance it causes. You have clearly ignored all previous representations against extending their license and deprived us of our right to peaceful sleep by allowing them everything they ask for and ignoring our complaints. Last time I called noise patrol to complain I was on the phone with someone who barely spoke English for over 20 minutes and in the end he said I could not complain as according to his computer I didn't live at my address?!? I think he clearly could not spell my name or my address! Your regular noise patrol cars usually zoom past on Tabernacle street and don't even slow down let alone spend some time to observe the effects of the club's patrons on the area...

Sincerely,

I want to object to this application. If for any reason Club aquarium stops trading, the licence they hold should not be available to any new business or the landlords of albert house. Any new business/tenants on the premises should apply for a new licence. Presenting their intention of use and comply with the recent licensing regulations.



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	11384-190913		
Postal address of premises, or if none, ordnance survey map reference or description CLUB AQUARIUM 256 - 260 OLD STREET			
Post town	London	Post code	EC1V 9DD
Telephone number			

Where the licence is time limited the dates^{24/}
Not Applicable

Licensable activities authorised by the licence

For the Basement

- The provision of regulated entertainment by way of:
The performance of live music
The playing of recorded music
The performance of dance
- The provision of entertainment facilities for:
Making music
Dancing
- The provision of late night refreshment
- The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

- The provision of regulated entertainment for the performance of live music:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	04.00	the following day
Thursday	09.00	to	06.00	the following day
Friday	09.00	to	09.00	the following day
Saturday	09.00	to	09.00	the following day
Sunday	09.00	to	09.00	the following day
- The provision of regulated entertainment for the playing of recorded music:

Monday	00.00	to	24.00	the following day
Tuesday	00.00	to	24.00	the following day
Wednesday	00.00	to	24.00	the following day
Thursday	00.00	to	24.00	the following day
Friday	00.00	to	24.00	the following day
Saturday	00.00	to	24.00	the following day
Sunday	00.00	to	24.00	the following day

- The provision of regulated entertainment for the performance of dance:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	04.00	the following day
Thursday	09.00	to	06.00	the following day
Friday	09.00	to	09.00	the following day
Saturday	09.00	to	09.00	the following day
Sunday	09.00	to	09.00	the following day

- The provision of entertainment facilities for making music:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	04.00	the following day
Thursday	09.00	to	06.00	the following day
Friday	09.00	to	09.00	the following day
Saturday	09.00	to	09.00	the following day
Sunday	09.00	to	09.00	the following day

- The provision of entertainment facilities for dancing:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	04.00	the following day
Thursday	09.00	to	06.00	the following day
Friday	09.00	to	09.00	the following day
Saturday	09.00	to	09.00	the following day
Sunday	09.00	to	09.00	the following day

- The provision of late night refreshment:

Monday	23.00	to	03.00	the following day
Tuesday	23.00	to	03.00	the following day
Wednesday	23.00	to	04.00	the following day
Thursday	23.00	to	04.00	the following day
Friday	23.00	to	05.00	the following day
Saturday	23.00	to	05.00	the following day
Sunday	23.00	to	04.00	the following day

- The sale by retail of alcohol:

Monday	09.00	to	02.30	the following day
Tuesday	09.00	to	02.30	the following day
Wednesday	09.00	to	03.30	the following day
Thursday	09.00	to	06.00	the following day
Friday	09.00	to	09.00	the following day
Saturday	09.00	to	09.00	the following day
Sunday	09.00	to	09.00	the following day

Except on:

From the start of permitted hours on New Years Eve until the end of permitted hours on New Years Day

Gaming Machine Provision:

Notification of up to 2 Category C or D machines.

Gaming Machine Permit numbered 0 allowing up to:

0 Category C machines;

0 Category D machines.

The opening hours of the premises:

Monday	09.00	to	03.30	the following day
Tuesday	09.00	to	03.30	the following day
Wednesday	09.00	to	04.30	the following day
Thursday	09.00	to	06.30	the following day
Friday	09.00	to	09.00	the following day
Saturday	09.00	to	09.00	the following day
Sunday	09.00	to	09.00	the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On and Off Supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Aquarium Management Ltd

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Islington Council
Public Protection Division
222 Upper Street
London N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk


Service Manager (Commercial)

7/10/13
Date of Issue

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003.
5. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any "irresponsible promotions" in relation to the premises.

In this condition, an "irresponsible promotion" means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
 - e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

9. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml; and
 - b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the Operating Schedule

1. The sale of alcohol is not authorised after midnight on any day on which music and dancing is not provided after midnight.

On any day that music and dancing ends between midnight and two o'clock in the morning the sale of alcohol shall cease when the music and dancing end.

The sale of alcohol shall cease at midnight on any Sunday on which music and dancing is not provided after midnight;

Where music and dancing end between midnight on any Sunday and 00.30hours, sale of alcohol on that Sunday shall end when the music and dancing end.

Where music and dancing end between midnight and 02.00 hours on any Sundays immediately before a bank holidays the sale of alcohol on that Sunday shall cease when the music and dancing end.

The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours for the sale by retail of alcohol unless one of the following applies:

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

3. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:
Children and Young Persons Act 1933
Cinematograph (Safety) Regulations 1955
Sporting Events (Control of Alcohol Etc) Act 1985
5. The licence shall be subject to the Council's standard conditions for Places of Entertainment
6. The licence shall be subject to the Council's technical standards for Places of Entertainment
7. The maximum number of persons accommodated at any one time in the premises shall not exceed the following: Back Room 100, Main Dance Area and Private Bar 350, Foyer Bar 50 and Swimming Pool Area 40.
8. The licence is subject to the following Additional Conditions referred to in the Standard Conditions for Places of Public Entertainment:
 - ADDITIONAL CONDITIONS D: APPLICABLE TO PREMISES USING DOOR SUPERVISORS.
 - ADDITIONAL CONDITION GO: APPLICABLE TO THE KEEPING OF GOOD ORDER.
9. The name and contact number of the person in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen by passers-by.
10. Notices shall be displayed on the premises:
 - a. with the telephone number of at least one local Taxi Cab company;
 - b. showing the Club's Rules of Management;
 - c. requesting patrons to leave the premises quietly and not to slam car doors.
11. **CONDITIONS FOR SWIMMING POOL AREA:**
 - a. The maximum number of persons accommodated at any one time in the Swimming Pool area shall not exceed 40.
 - b. A lifeguard shall be on duty in the Swimming Pool area during the whole time that it is in use.
 - c. The consumption of drinks in the Swimming Pool area shall be non-alcoholic and shall be served in paper or plastic materials.
 - d. Patrons who appear to be intoxicated shall be prevented from entering the Swimming Pool area.
 - e. A Steward shall guard the entrance to the Swimming Pool area the whole time it is in use.
 - f. When the Swimming Pool area is not in use, the entrance shall be locked shut for the duration of the Club's opening hours.
 - g. Swimming costumes must be worn by all persons using the swimming pool.
12. CCTV system shall be maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer within 24 hours of any request.

13. No person shall be allowed in the premises under the age of 18 years when the licence is being used.
14. All security staff shall be equipped with radios, linking them to the other security guards.
15. All staff shall be trained in the premises emergency evacuation measures and first aid procedures.
16. All exits at the premises shall be checked throughout the night.
17. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
18. Members of the security staff shall advise customers to respect the needs of local residents and leave the area quietly.
19. Security Officers registered with the Security Industry Authority shall be on patrol when the cabaret show is taking place, monitoring the audience and the performers.
20. Tickets for the cabaret show must be purchased in advance. There shall be no ticket sales for the cabaret show on the door of the premises.
21. Barriers shall be used outside the premises to control the customers for the cabaret show.
22. The striptease shall be in a location where the performance cannot be seen from the street.
23. The striptease entertainment shall be in a location where the performers/entertainers and the audience shall not be permitted to participate.
24. Whilst striptease entertainment is taking place, no person under the age of 18 shall be on the premises. A clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by persons entering the premises with the following words '*No person under the age of 18 will be admitted*'.

Annex 3 - Conditions attached after a hearing by the licensing authority

1. No coaches or limousines to park outside the premises during the hours of operation.
2. A notice shall be displayed in a prominent place to remind patrons to use the toilet facilities before leaving the premises.

Annex 4 – Plans

Reference Number: WK/201322365 Date: 4 September 2013

Suggested conditions of approval consistent with the operating schedule

1. The sale of alcohol is not authorised after midnight on any day on which music and dancing is not provided after midnight.
On any day that music and dancing ends between midnight and two o'clock in the morning the sale of alcohol shall cease when the music and dancing end.
The sale of alcohol shall cease at midnight on any Sunday on which music and dancing is not provided after midnight;
Where music and dancing end between midnight on any Sunday and 00.30hours, sale of alcohol on that Sunday shall end when the music and dancing end.
Where music and dancing end between midnight and 02.00 hours on any Sundays immediately before a bank holidays the sale of alcohol on that Sunday shall cease when the music and dancing end.
The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours for the sale by retail of alcohol unless one of the following applies:
 - a) He is the child of the holder of the premises licence.
 - b) He resides in the premises, but is not employed there.
 - c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

3. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:
Children and Young Persons Act 1933
Cinematograph (Safety) Regulations 1955
Sporting Events (Control of Alcohol Etc) Act 1985
5. The licence shall be subject to the Council's standard conditions for Places of Entertainment
6. The licence shall be subject to the Council's technical standards for Places of Entertainment
7. The maximum number of persons accommodated at any one time in the premises shall not exceed the following: Back Room 100, Main Dance Area and Private Bar 350, Foyer Bar 50 and Swimming Pool Area 40.
8. The licence is subject to the following Additional Conditions referred to in the Standard Conditions for Places of Public Entertainment:
 - ADDITIONAL CONDITIONS D: APPLICABLE TO PREMISES USING DOOR SUPERVISORS.
 - ADDITIONAL CONDITION GO: APPLICABLE TO THE KEEPING OF GOOD ORDER.
9. The name and contact number of the person in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen by passers-by.

10. Notices shall be displayed on the premises:
 - a. with the telephone number of at least one local Taxi Cab company;
 - b. showing the Club's Rules of Management;
 - c. requesting patrons to leave the premises quietly and not to slam car doors.

11. CONDITIONS FOR SWIMMING POOL AREA:
 - a. The maximum number of persons accommodated at any one time in the Swimming Pool area shall not exceed 40.
 - b. A lifeguard shall be on duty in the Swimming Pool area during the whole time that it is in use.
 - c. The consumption of drinks in the Swimming Pool area shall be non-alcoholic and shall be served in paper or plastic materials.
 - d. Patrons who appear to be intoxicated shall be prevented from entering the Swimming Pool area.
 - e. A Steward shall guard the entrance to the Swimming Pool area the whole time it is in use.
 - f. When the Swimming Pool area is not in use, the entrance shall be locked shut for the duration of the Club's opening hours.
 - g. Swimming costumes must be worn by all persons using the swimming pool.

12. CCTV system shall be maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer within 24 hours of any request.
13. No person shall be allowed in the premises under the age of 18 years when the licence is being used.
14. All security staff shall be equipped with radios, linking them to the other security guards.
15. All staff shall be trained in the premises emergency evacuation measures and first aid procedures.
16. All exits at the premises shall be checked throughout the night.
17. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
18. Members of the security staff shall advise customers to respect the needs of local residents and leave the area quietly.
19. Security Officers registered with the Security Industry Authority shall be on patrol when the cabaret show is taking place, monitoring the audience and the performers.
20. Tickets for the cabaret show must be purchased in advance. There shall be no ticket sales for the cabaret show on the door of the premises.
21. Barriers shall be used outside the premises to control the customers for the cabaret show.
22. The striptease shall be in a location where the performance cannot be seen from the street.
23. The striptease entertainment shall be in a location where the performers/entertainers and the audience shall not be permitted to participate.
24. Whilst striptease entertainment is taking place, no person under the age of 18 shall be on the premises. A clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by persons entering the premises with the following words 'No person under the age of 18 will be admitted'.
25. No coaches or limousines to park outside the premises during the hours of operation.

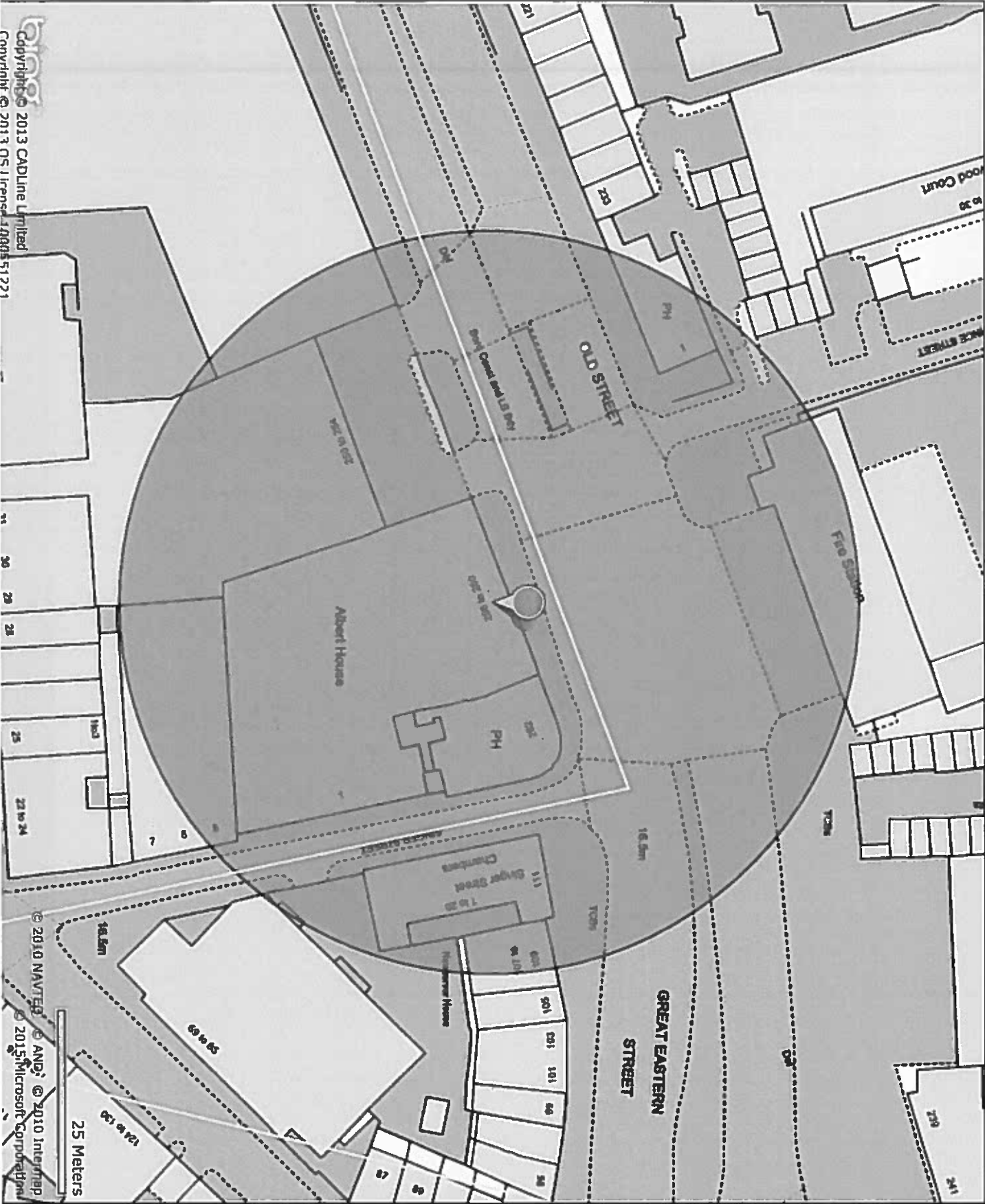
26. A notice shall be displayed in a prominent place to remind patrons to use the toilet facilities before leaving the premises.

Conditions proposed by the Licensing Authority Officer

27. Reducing the hours of licensable activity to the Council's Licensing Policy Core Hours.
28. Offer to surrender licence or that any licence granted to A&A Albert House cannot be used while the other license number LN11384 or subsequent amendments to this licence is still in force at premises.
29. Imposing any additional bespoke conditions proposed by the applicant prior to the hearing to include the current policies in operation at the premises.

Conditions proposed by the Police

30. This license cannot be used while the other license number LN11384 or subsequent amendments to this licence is still in force at premises.
31. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full frontal head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.
32. Crime prevention literature will be placed in prominent positions in the premises and in all toilets used by visitors. Signs will be placed on the back of cubicle doors in the ladies and on the wall above the men's urinals. The content of this literature will be agreed and reviewed in conjunction with the local Police.
33. The venue will operate a computer based ID system which will operate at all times the venue is open and every person entering premises shall have their ID scanned and verified before entry.
34. The venue will operate a full search regime, every person entering will be searched by door staff and search wands will be used. Persons re-entering the venue will also be subject to a further search.
35. A minimum of 3 working search wands will be used at all times.
36. There will be no entry or re-entry after 0100hrs on a Friday & Saturday.
37. A minimum of 8 SIA registered door staff be at the venue at all times it is open until 30 minutes after closing time.
38. There will be a minimum of two qualified/certificated designated first aiders at the premise during all times it is open.
39. A defibrillator and a person qualified in its use will be at the premise at all times it is open.



Title : 256-260 Old Street EC1

Islington Borough Boundary

Printed by : RO RO

Printed at : 14-05-2015