



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	10 th September 2015		Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Dirty Burger, Unit 2, 15-17 Exmouth Market, London EC1R 4QD

1. Synopsis

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

1.2 The application is for a licence to allow:

- The sale of alcohol for consumption on the premises: 10:00 to 00:00 on Sunday to Saturday. To extend the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
- The sale of alcohol for consumption off the premises: 10:00 to 23:00 on Sunday to Saturday.
- The provision of Late Night Refreshment: 23:00 to 00:00 on Sunday to Saturday.
- The following opening hours: 08:00 to 00:30 on Sunday to Saturday.
- An extension of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

2. Relevant Representations

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

3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

3.2 The Licensing Authority and one local resident have submitted representations to the application. The Metropolitan Police have withdrawn their representation on the basis of agreed conditions. The applicants have agreed two additional conditions with the Noise Service.

4. Planning Implications

4.1 Planning have reported that, "The application concerns the use of the land as a restaurant, under use class A3. Planning records confirm this to be the lawful use of the land and there are no ongoing enforcement investigations. As such, the planning department has no objections to the application."

5. Recommendations

5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.

5.2 To consider that this address is in the Saturation or "Cumulative Impact Policy" of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

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

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 3)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)

6 Conclusion and reasons for recommendations


6.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions as appropriate to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy
Licensing Act 2003
Secretary of States Guidance

Final Report Clearance

Signed by


Service Director – Public Protection

27-8-15
Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

Appendix 1

2015 92130

LW1

Application for a premises licence to be granted

Due: 07/08/15

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 **Quentin 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

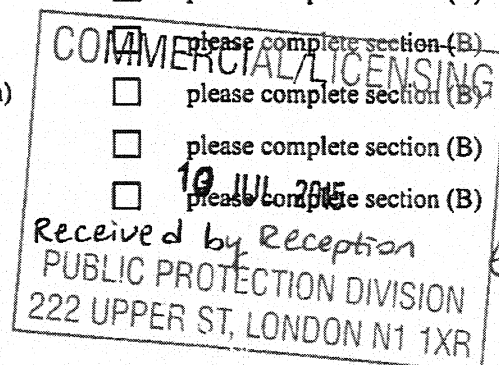
Postal address of premises or, if none, ordnance survey map reference or description			
Dirty Burger Unit 2 17 Exmouth Market			
Post town	LONDON	Postcode	EC1R 4QD
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£35,250	

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)



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13/07/15

- 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)

<input type="checkbox"/> 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 Quentin Limited
Address 44 Esplanade St Helier Jersey JE4 9WG c/ LT Law 18 Soho Square London W1D 3QL
Registered number (where applicable) 117757
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) c/o 020 3755 5138
E-mail address (optional) lana@ltlaw.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	09	2015

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
'Dirty Burger' branded restaurant, within the Soho House Group

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)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<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> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films 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 the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)	
Tue				
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						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Thur						
Fri			<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)			
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 type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Day	Start	Finish	Please give further details here (please read guidance note 3) For example, but not exclusively, live bands and artistes.			
Mon						
Tue						
Wed					State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur						
Fri						
Sat					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)	
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<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 the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance 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 the performance of dance</u> (please read guidance note 4)		
Wed					
Thur					
			<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> (please read guidance note 5)		
Fri					
Sat					
Sun					

H

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

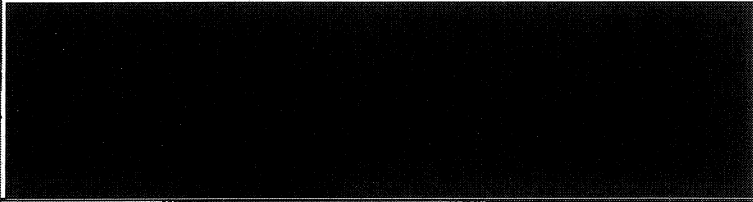



I

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 checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Hot food and drink will be sold and available at all times		
Mon	23.00	00.00			
Tue	23.00	00.00			
Wed	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23.00	00.00			
Fri	23.00	00.00	<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	23.00	00.00	On NYE- from 11pm on NYE to 5am NYD		
Sun	23.00	00.00			

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) Off Sales shall cease at 11pm, 7 days (see proposed conditions)		
Mon	10.00	00.00			
Tue	10.00	00.00			
Wed	10.00	00.00			
Thur	10.00	00.00			
Fri	10.00	00.00			
Sat	10.00	00.00			
Sun	10.00	00.00	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) NYE- from end of hours permitted on New Year's Eve to the start of trade 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 Sienna Hildemar Pulati	
Address 	
Postcode	
Personal licence number (if known) 	
Issuing licensing authority (if known) 	

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	08.00	00.30	<p>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)</p> <p>NYE- from end of hours permitted on New Year's Eve to the start of trade on New Year's Day</p>
Tue	08.00	00.30	
Wed	08.00	00.30	
Thur	08.00	00.30	
Fri	08.00	00.30	
Sat	08.00	00.30	
Sun	08.00	00.30	

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)

Alcohol shall not be sold or supplied otherwise than to persons who are purchasing a meal from the menu.

Off Sales shall cease at 11pm, 7 days

All instances of crime and disorder shall be reported to the police.

An incident book shall be used to record all instances of public disorder.

The holder of the premises licence shall subscribe to and participate fully in the local pub/club/shop watch scheme.

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request

Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises

All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified

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

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

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly

The highway and public spaces in the vicinity of the premises shall be kept free of litter from the premises at all material times. All litter and sweepings shall be collected and stored in accordance with the approved refuse storage arrangements

Refuse must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties

The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme

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 instruction given to staff

The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer

The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards

b) The prevention of crime and disorder

See above

c) Public safety

See above

d) The prevention of public nuisance

See above

e) The protection of children from harm

See above

Checklist:

- I have made or enclosed payment of the fee.

Please tick to indicate agreement




- 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	
Date	9 July 2015
Capacity	Solicitor for 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)

Lana Tricker
LT Law
18 Soho Square

Post town	London	Postcode	W1D 3QL
Telephone number (if any)	020 3755 5138		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
lana@ltlaw.co.uk

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.

Consent of individual to being specified as premises supervisor

Sienna Hildemar Pulati

.....
[full name of prospective premises supervisor]

of

165a Priory Avenue
London
N8 8NB

c/ LT Law
18 Soho Square
London
W1D 3QL

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

new premises licence

.....
[type of application]

by

Quentin Limited

.....
[name of applicant]

relating to a premises licence

.....
[number of existing licence, if any]

for

Dirty Burger
UNIT 2, 17 EXMOUTH MARKET, LONDON EC1R 4QD

.....
[name and address of premises to which the application relates]

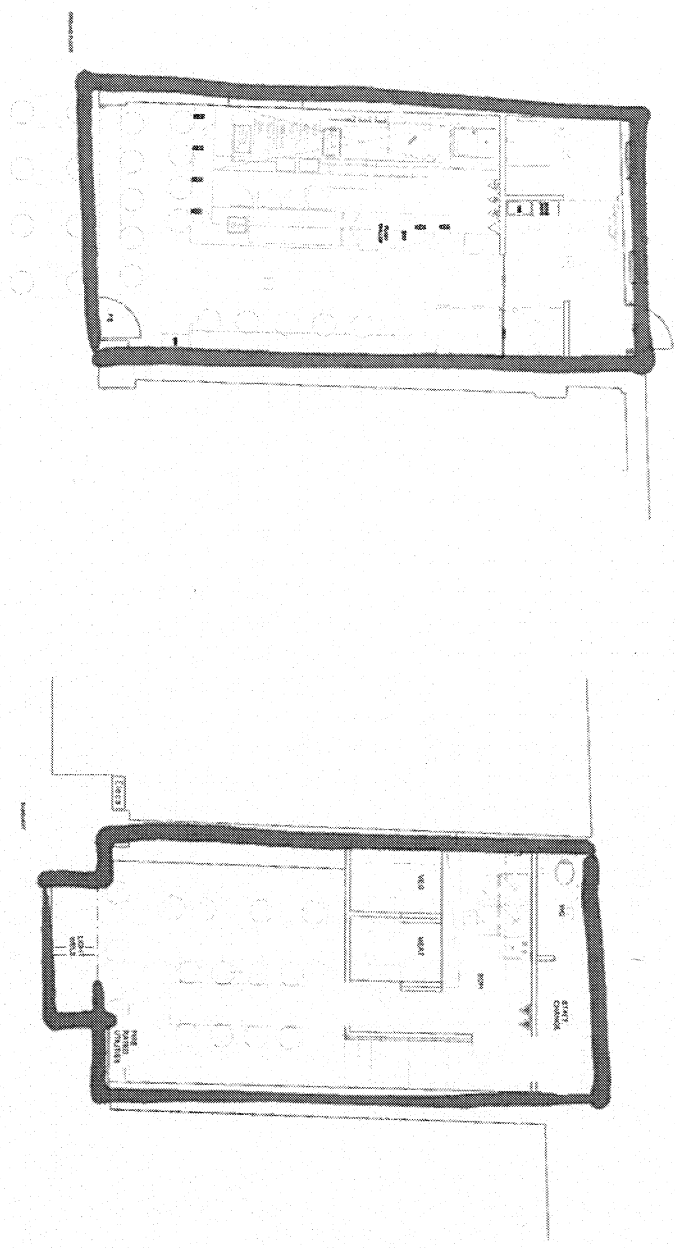
DO NOT use drawing for construction
 Based for Design/Intent purposes only
 2019/04/26 10:58 AM

SOHO HOUSE TO APPROVE ALL FINISHES
 SAMPLES & PAINTINGS PRIOR TO
 MANUFACTURE.

ALL DIMENSIONS DISCREPANCIES TO BE
 REPORTED
 TO SOHO HOUSE PRIOR TO MANUFACTURE

1	SMOKE DETECTOR	
2	FIRE ALARM BELL	
3	KEY SWITCH	
4	ILLUMINATED EMERGENCY	
5	ALARM, U.F.C. 52	
6	EMERGENCY BELL LIGHTS	
7	NET MEDICAL EXTINGUISHER	
8	CO2 EXTINGUISHER	
9	FOAM EXTINGUISHER	
10	FIRE BLANKET	

All removable
 activities occur
 within the red
 line
 Loose furniture is
 indicative only



SOHO HOUSE GROUP

DIRTY BURGER,
 EXMOUTH MARKET,
 LICENSING GAS

Scale	1:500	1:500	1:500	1:500	1:500
Client	CS	CS	CS	CS	CS
Project	213 SHG GA, LLC	213 SHG GA, LLC	213 SHG GA, LLC	213 SHG GA, LLC	213 SHG GA, LLC
Date	2019/04/26	2019/04/26	2019/04/26	2019/04/26	2019/04/26



18 Soho Square, London W1D 3QL

9 July 2015

The Licensing Team,
Public Protection Department
Islington Council
222 Upper Street
London N1 1XR

Our ref: LT/1458

By Courier

Dear Sirs

RE: DIRTY BURGER, UNIT 2, 17 EXMOUTH MARKET, LONDON EC1R 4QD – APPLICATION FOR NEW GRANT OF A PREMISES LICENCE

I act for Quentin Limited and have been instructed to make an application for new grant of a premises licence for the above premises. The premises is currently licensed as Gulshan Tandoori, but that premises has closed and it has now been split into two units and accordingly a new licence is required for this site. As the premises was previously operating as a licensed premises this application/operation will not add to any cumulative impact in the area.

The Dirty Burger brand forms part of the Soho House Group. There is a simple food menu with a limited selection of alcohol on offer. The venue brand offers around 4 varieties of either beer and/or lager and/or ale for sale, along with some alcoholic milkshake drinks. The menu features burgers, accompaniments and drinks. The premises will operate for breakfast, lunch and dinner, with food provision being the primary purpose.

In support of the application please find enclosed the following:-

1. Application for new grant;
2. Cheque in the sum of £315 being the application fee;
3. Consent of DPS;
4. Licensing plan of the premises
5. Certificate of service;
6. Copy of notice of advertisement for information;

Please note that the last date to receive valid representations is 6 August 2015.

Should you have any questions please do not hesitate to contact Lana Tricker on 020 3755 5138.

Yours faithfully

A handwritten signature in dark ink, appearing to be 'Lana Tricker', written over a horizontal line.

LT LAW

Licensing Authority Representation: Licensing Act 2003

Application: Dirty Burger, 17 Exmouth Market, London EC1R 4QD

I am submitting a representation on behalf of the Licensing Authority with respect to the variation application for the above premises.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

Licensing Policy Considerations

<i>Licensing Policies 1 & 2</i>	<i>Location, cumulative impact and saturation</i>
<i>Licensing Policies 4 & 5</i>	<i>Off sales</i>
<i>Licensing Policy 7 & 8</i>	<i>Licensing Hours</i>
<i>Licensing Policies 9, 10 & 11</i>	<i>Operating Schedules</i>
<i>Licensing Policy 18</i>	<i>Noise control</i>
<i>Licensing Policy 20</i>	<i>Smoking, drinking, eating outside</i>
<i>Licensing Policy 21</i>	<i>Dispersal Policy</i>

Issues of Concern

1. The premises are located within the Clerkenwell Cumulative Impact policy area. The onus is on the applicant to demonstrate that these premises will not add to the cumulative impact. It is my opinion that these premises will add to the cumulative impact and I am concerned that the applicant has failed to adequately address cumulative impact in their application.
2. The premises was previously a licensed restaurant, with alcohol sales permitted to 00:00, Mondays to Saturdays, and 23:30 on Sundays. The licence did not permit off sales. The licence was granted prior to the introduction of the Cumulative Impact Policy.
3. The licensing authority receives regular complaints from local residents and businesses about the impact of licensed businesses in Exmouth Market. Licensing officers regularly visit the area and have worked with local licensed operators to minimise the impact their businesses have on the local environment. Business have been encouraged to provide door supervisors, reduce music noise levels, implement dedicated smoking areas, use staff patrols to monitor customer behaviour, reduce vertical drinking and stop selling high strength alcohol products.. The applicants have not addressed these points and have failed to demonstrate an appreciation of local issues.
4. This application will undermine the licensing objectives and added to the cumulative impact because:
 - o The plan includes reference to outside areas however there is no mention of how this area will be used, monitored or controlled.

- o Off sales will be permitted but the operating schedule proposes no control measures to prevent the premises becoming another source for drinking in the street.
- o There is no dispersal policy to explain how customers will be encouraged to leave the area without causing a nuisance to neighbouring residents.

Recommendation

I recommend that the application is refused as it does not adequately demonstrate why the operation of the premises will not add to the cumulative impact and therefore granting the application will undermine the licensing objectives.

If the Licensing Committee is minded to grant the licence, I recommend that the licence be granted in accordance with the Council's preferred hours policy, specifically with a terminal hour of 23:00hrs, Sunday to Thursday, and 00:00 midnight, Friday and Saturday, and the following additional conditions:

1. Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
2. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises, these shall be limited as ancillary to take away meals and shall be limited to 1 bottle of wine per take away meal or 2 bottles of beer per take away meal.
3. Smokers outside the premises shall be limited to a maximum of 8 persons.
4. Staff shall carry out routine patrols to monitor customer behaviour and ensure all customer litter is removed. A member of staff shall be tasked with monitoring customer dispersal at closing time to encourage customers to leave quietly and not to loiter in the vicinity.
5. Any outside furniture shall be rendered unusable from 23:00 hours until the commencement of the next day's trading.

Janice Gibbons
Service Manager (Commercial and Licensing)
Janice.gibbons@islington.gov.uk
02 7527 3212

5 August 2015

Rep 2

Sender, Yesim

From: [REDACTED]
Sent: 01 August 2015 19:40
To: Licensing
Subject: Dirty Burger, 17 Exmouth Market, EC1R 4QD

As a local resident(details below), I wish to object to the venues request to serve alcohol beyond Islington's core hours on and off the premises.

Clerkenwell has been designated a Cumulative Impact Area. This application would add to the cumulative impact.

To prevent crime and disorder and a public nuisance, I request that this license be rejected.

Sincerely,

[REDACTED]
[REDACTED]

Appendix 3

1. The holder of the premises licence shall subscribe to and participate fully in the local pub/club/shop watch scheme.
2. Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises.
3. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
4. Noise or vibration must not emanate from the premises so as to cause to nearby properties.
5. 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.
6. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
7. The highway and public spaces in the vicinity of the premises shall be kept free of litter from the premises at all material times. All litter and sweepings shall be collected and stored in accordance with the approved refuse storage arrangements.
8. Refuse must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
9. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.
10. 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 instruction given to staff.
11. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards, eg. Citizencard, a passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
12. The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.

Conditions of approval agreed by the Metropolitan Police and the applicants:

13. The premises shall only operate as a restaurant which provides food in the form of substantial meals that are prepared on the premises
14. Alcohol shall not be sold or supplied otherwise than to persons who are purchasing a meal from the advertised menu displayed at the premises and the consumption of alcohol by such persons is ancillary to taking such meals.
15. Off Sales shall cease at 23.00, 7 days
16. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take away meal. In respect of this, off-sales will be limited to either two bottles of beer or two alcoholic shakes per take away meal
17. 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 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.

18. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:
 - a. All crimes reported to the venue
 - b. Any complaints received
 - c. Any incidents of disorder
 - d. Any faults in the CCTV system
 - e. Any visit by a relevant authority or emergency service
 - f. All ejections of patrons
 - g. All seizures of drugs or offensive weapons
 - h. Any refusal of the sale of alcohol
19. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

Conditions of approval agreed by the Noise Service and the applicants:

20. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day.
21. No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.

Title : Dirty Burger,
15-17 Exmouth
Market

Islington Borough
Boundary

708/30

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