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## AGENDA FOR THE LICENSING SUB COMMITTEE C

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Members of Licensing Sub Committee C are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **17 January 2017 at 6.30 pm.**

**Stephen Gerrard**  
**Director – Law and Governance**

Enquiries to : Jackie Tunstall  
Tel : 020 7527 3068  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 9 January 2017

### **Membership**

Councillor Flora Williamson (Chair)  
Councillor Asima Shaikh (Vice-Chair)  
Councillor Rowena Champion

### **Substitute**

All other members of the Licensing committee

Quorum: is 3 Councillors

**Welcome :** Members of the public are welcome to attend this meeting.  
Procedures to be followed at the meeting are attached.



<b>A. Formal matters</b>	<b>Page</b>
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1. Introductions and procedure
2. Apologies for absence
3. Declarations of substitute members
4. Declarations of interest

If you have a **Disclosable Pecuniary Interest\*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

**\*(a)Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

**(b) Sponsorship** - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

**(c) Contracts** - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

**(d) Land** - Any beneficial interest in land which is within the council's area.

**(e) Licences-** Any licence to occupy land in the council's area for a month or longer.

**(f) Corporate tenancies** - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

**(g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of business
6. Minutes of previous meeting

1 - 8

<b>B. Items for Decision</b>	<b>Page</b>
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1. Beyond Bread, 257 Upper Street, London N1 2UQ - new premises licence

**C. Urgent non-exempt items**

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

**D. Exclusion of public and press**

To consider whether, in view of the nature of the remaining items on the agenda, any of them are likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

**E. Urgent Exempt Items (if any)**

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

## ISLINGTON LICENSING SUB-COMMITTEES -

### PROCEDURE FOR HEARING LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003

#### INTRODUCTION

#### TIME GUIDE

- 1) The Chair of the Sub-Committee will open the meeting and invite all members of the Sub-Committee, Officers, the applicant and anybody making representations, including witnesses (who have been given permission to appear) to introduce themselves.
- 2) The Chair will introduce the application and draw attention to the procedure to be followed as detailed below.

#### CONSIDERATION OF APPLICATIONS:

**N.B. The Sub-Committee have read all the papers. All parties should use this time to present a summary of their key points and not to repeat the detail already provided in the report.**

- 3) **The Licensing Officer** will report any further information relating to the application or representations. Where necessary the relevant parties will respond to these points during their submissions.
- 4) **Responsible Authorities** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 5) The Sub-Committee to question the responsible authorities on matters arising from their submission.
- 6) **Interested Parties** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 7) The Sub-Committee to question the objectors on matters arising from their submission.
- 8) **The applicant** to present the key points of their application, address the representations and clarify any points requested by the Authority. Witnesses given permission by the Authority may appear. 10 mins
- 9) The Sub-Committee to question the applicants on matters arising from their submission.
- 10) If required, the Licensing Officer to clarify matters relating to the application and the Licensing Policy.
- 11) The Chair may give permission for any party to question another party in the order of representations given above.

#### CASE SUMMARIES

- 12) **Responsible Authorities**
  - 13) **Interested parties**
  - 14) **Applicant**
- 2 mins each

#### DELIBERATION AND DECISION

- 15) The Sub-Committee may retire to consider its decision. The Committee Clerk and Legal Officer will remain with the Sub-Committee.
- 16) If the Sub-Committee retires, all parties should remain available to provide further information or clarification.
- 17) The chair will announce their decision giving reasons and any conditions to be attached to the licence. All parties will be informed of the decision in writing.

## ISLINGTON LICENSING SUB-COMMITTEES -

### PROCEDURE FOR HEARING LICENSING REVIEW APPLICATIONS UNDER THE LICENSING ACT 2003

#### INTRODUCTION

#### TIME GUIDE

- 1) The Chair of the Sub-Committee will open the meeting and invite all members of the Sub-Committee, Officers, the applicant and anybody making representations, including witnesses (who have been given permission to appear) to introduce themselves.
- 2) The Chair will introduce the application and draw attention to the procedure to be followed as detailed below.

#### CONSIDERATION OF APPLICATIONS:

**N.B. The Sub-Committee have read all the papers. All parties should use this time to present a summary of their key points and not to repeat the detail already provided in the report.**

- 3) **The Licensing Officer** will report any further information relating to the application or representations. Where necessary the relevant parties will respond to these points during their submissions.
- 4) **The applicant (interested party or responsible authority)** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 5) The Sub-Committee to question the responsible authorities on matters arising from their submission.
- 6) **Other representatives (interested party or responsible authority)** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 7) The Sub-Committee to question the other representatives (interested party or responsible authority) on matters arising from their submission.
- 8) **The licensee** to present the key points of their application, address the representations and clarify any points requested by the Authority. Witnesses given permission by the Authority may appear. 10 mins
- 9) The Sub-Committee to question the applicants on matters arising from their submission.
- 10) If required, the Licensing Officer to clarify matters relating to the application and the Licensing Policy.
- 11) The Chair may give permission for any party to question another party in the order of representations given above.

#### CASE SUMMARIES

- 12) **Applicant**
  - 13) **Other representatives**
  - 14) **Licensee**
- 2 mins each

#### DELIBERATION AND DECISION

- 15) The Sub-Committee may retire to consider its decision. The Committee Clerk and Legal Officer will remain with the Sub-Committee.
- 16) If the Sub-Committee retires, all parties should remain available to provide further information or clarification.
- 17) The chair will announce their decision giving reasons and any conditions to be attached to the licence. All parties will be informed of the decision in writing.

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London Borough of Islington

## **Licensing Sub Committee C - 4 October 2016**

Minutes of the meeting of the Licensing Sub Committee C held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 4 October 2016 at 6.30 pm.

**Present:**           **Councillors:**           Asima Shaikh, Diarmaid Ward and Nick Wayne.

### **Councillor Nick Wayne in the Chair**

#### **125       INTRODUCTIONS AND PROCEDURE (Item A1)**

Councillor Nick Wayne welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.

#### **126       APOLOGIES FOR ABSENCE (Item A2)**

Apologies for absence were received from Councillor Gary Poole.

#### **127       DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

Councillor Wayne substituted for Councillor Poole and Councillor Ward substituted for the vacant position.

#### **128       DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

#### **129       ORDER OF BUSINESS (Item A5)**

The order of business would be as the agenda.

#### **130       MINUTES OF PREVIOUS MEETING (Item A6)**

##### **RESOLVED**

That the minutes of the meeting held on the 9 June 2016 be confirmed as a correct record and the Chair be authorised to sign them.

#### **131       THE OLD SESSIONS HOUSE, 22 CLERKENWELL GREEN, EC1R 0NA - NEW PREMISES LICENCE (Item B1)**

The Sub-Committee noted that this item had been withdrawn by the applicant.

#### **132       HOLY PITTA YEEROS HOUSE, 74D UPPER STREET, N1 0NY - NEW PREMISES LICENCE (Item B2)**

The licensing officer reported that officers visited on the 23 September at 11.41pm and had found the premises serving hot food. There were also 12 chairs outside the premises instead of the required 8. The licensee was spoken to about this matter and he stopped

serving immediately. The following weekend there was another visit and the premises were found to be complying with their licence.

The licensing authority reported that the hours requested were within the framework hours outlined in licensing policy 8.

A local resident who spoke against the application stated that the terminal hour should be midnight during the week and 11pm on Sunday. She had seen six tables outside the premises which the resident did not think were covered by licence. The licensing officer clarified that the premises had authorisation for four tables and 8 chairs outside the premises which were to be cleared at 11pm.

The applicant's representative reported that an application had been submitted about a month ago which had been ill prepared and had longer hours. This had been refused. This revised application was more in keeping with the licensing policy and was within framework hours. The premises would not be serving alcohol. The police and the licensing authority had not put in any objection. The licensee had applied for temporary event notices over the past three months. On the evening that hot food was found to be served after hours, the premises had a sudden influx of customers after 11pm and orders had been taken.

In response to questions it was noted that after 11pm the premises was just a take away and tables and chairs would be removed. Trading after hours on that occasion was just a one off. Staff had been trained and would not serve people who were drunk. The premises had been operating for six months and there had been no issues with either this or the next door premises which was also owned by the applicant. On the evening that they had been operating after hours, customers had made their order before 11pm and the restaurant had just been completing these orders. This had been the only issue in the six months of ownership. Tables and chairs were removed 10 minutes before 11pm. It was noted that the applicant also operated La Forchetta, the next door premises and had no issues. The applicant's representative stated that he was a qualified trainer and would train all staff. They did consider employing a door supervisor but the premises was very small and so one was not considered necessary. The licensee could call on Dirty Martini if there were any issues. There were plans to employ additional staff between 11pm and 1am. The licensee was very experienced.

In summary, the local resident reported that she had seen more tables outside than they were allowed. She thought that customers could be sold alcohol from the neighbouring premises. She considered that the hours requested were outside the policy. The licensing officer clarified that the hours requested were within the framework for premises that sold late night refreshment.

The applicant stated that the application was within framework hours. Tables and chairs were shared with the premises next door but only four tables and 8 chairs would be outside these premises. The licensee had been trading for seven years at the neighbouring premises with no issues.

**RESOLVED**

- 1) That the application for a new premises licence, in respect of Holy Pitta Yeeros House, 74D Upper Street N1 0NY, be granted to allow:-
  - a) The provision of late night refreshment, Sundays to Thursdays from 11 pm until midnight and Fridays and Saturdays from 11 pm until 1 am.
  - b) The premises to be open to the public: Sundays to Thursdays from 10am until midnight and Fridays and Saturdays from 10 am until 1 am.



- 2) Conditions outlined in appendix 3 and detailed on page 180 of the agenda shall be applied to the licence with the following additional condition.
- All outside tables and chairs to be removed at 11pm.

**REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall under the Angel and Upper Street cumulative impact area. Licensing policy 2 creates a rebuttable presumption that, applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an 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.

The Sub-Committee noted that the intended hours of operation were within the core hours as set out in Licensing Policy 8.

No representations were received from any of the Responsible Authorities. In addition hereto, the Sub-Committee took into consideration the submissions from the Licensing Officer that he had witnessed the applicant trading outside authorised hours on 23<sup>rd</sup> September 2016 and the response from the applicant.

The Sub-Committee concluded that the licensing objectives would not be undermined by the granting of the application and that it would not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The Sub-Committee noted the concerns of the interested party in relation to tables and chairs outside the premises. The Sub-Committee accordingly granted the application with the additional condition that the tables and chairs be removed at 11pm.

The Sub-Committee was of the opinion that this was a reasonable, proportionate and appropriate decision taking all factors into consideration.

**133**

**STAR FOOD AND WINE, 138-140 BALLS POND ROAD, N1 4AD - PREMISES LICENCE REVIEW (Item B3)**

The trading standards officer submitted an update that would be interleaved with the agenda papers.

The trading standards officer reported that the new licence holder had worked at the premises during the seizure made in 2012. He became the licence holder in January 2016 and was managing the premises during the seizure in April 2016. He reported that, since the application had been made there had been an improvement. He asked that if the Sub-Committee considered that the licensee was unlikely to attain the high standards expected of a manager, he would ask that the licence be revoked. If the Sub-Committee considered that the improvement would be maintained he recommended suspension as a deterrent for other businesses.

In response to questions the trading standards officer considered that the alcohol had been non duty paid rather than counterfeit. No documents had been produced and the licensee stated that they had been purchased when he was not in the shop. Trading standards had

carried out one check on the premises since 2012 but nothing had been found. He considered that the attitude of the licence holder had changed and he now understood how serious this was. He was more engaged and was keen to understand where he had gone wrong.

The licensing authority had met with the licence holder and considered that the Sub-Committee needed to hear the story around the tobacco as he was not sure that it made sense. If the licence was suspended he considered that additional conditions would also need to be added. This could include a condition about a personal licence holder being present on the premises at all times and also a condition about high strength alcohol.

In response to questions it was noted that the trading standards officer had seen some training records but would not be able to say what they were. A training course had been run by the training standards office which was attended by the licensee and one member of staff in June. It was reported that having a personal licence holder on the premises at all times that alcohol was sold would be one way of ensuring a robust operation. It was noted that the police representation on page 203 of the agenda contained an accurate summary of breaches.

The police reported that there had been poor management standards at the premises and detailed the breaches in the CCTV condition at a visit to the venue on the 22 April 2016. He stated that he believed that the CCTV was now working.

The licensee's representative stated that this was a family run premises that had been managed by Mr Kavruk senior in 2012. In January 2016 he decided to transfer responsibility to his son and his son became the designated premises supervisor in January 2016. Mr Kavruk senior and his son had an argument and his son left the premises which resulted in chaos in running the shop in the early part of 2016. In February 2016 there was an incident at the premises involving Mr Kavruk senior, an allegation was made and the CCTV was provided as evidence. A temporary CCTV system was set up but this had not been adequate and had not held recordings for 31 days. The incident had led to Mr Kavruk senior contacting his son and he returned to the premises. Mr Kavruk junior was not around when the alcohol was purchased but he accepted he was responsible as designated premises supervisor. The tobacco in the shop was being looked after. Mr Kavruk junior was aware that it should not have been there and accepted this mistake. Mr Kavruk junior had now sought advice about training. The issue between father and son caused a breakdown in management and the running of the shop. All conditions were being complied with and all issues corrected. They agreed to a condition about having a personal licence holder on the premises and also about restricting high strength alcohol. Mr Kavruk junior stated that he had not known how to operate the temporary CCTV unit properly. He stated that all staff would be trained and retrained every three months. He would ensure that this would not happen again. He stated that the illicit products must have come into the shop while he was away. Trading standards then found them. He agreed that they should not have been there and alcohol would be bought from the cash and carry in the future. It was accepted that management standards had fallen below the standard expected when he was absent from the premises. Purchases of alcohol would only go through Mr Kavruk junior and would be at a cash and carry. In 2012 he was an employee only and not responsible for management and his representative stated that, in any event, had he been found guilty it would have been a spent conviction after twelve months. It was noted that the trading standards officer had visited since 2012 and had found no problems. Mr Kavruk junior took over at the early part of the year and was not aware of the illicit items. He stated that he would do anything to ensure that this did not happen again. He would show invoices monthly. He would be there all of the time if he had to be. There would be a minimum of two staff present at all times. The member of staff who sold the tobacco was not aware it was illicit. It was not hidden from view but was at the front of the counter. A nearby café

owner had asked if the licensee could keep the tobacco at his shop for safekeeping. The licensee stated that, if it was conditioned, a personal licence holder would always be at the premises. If the licence holders could not be available shutters would be closed over the alcohol. Mr Kavruk junior left in the middle of January, before the incident. He became the designated premises supervisor on the 20 January 2016 but then he had a fall out with his father. He was back running the business in April but he did not know anything about the non-duty paid alcohol found in the premises. He asked other people about the alcohol in the shop but nobody, including his father, could give him a straightforward answer. His father was only working in the shop for half a day and while he was away there was another man helping his father out in the shop. He did not know why some high strength lager was only priced at £1.35 rather than £1.99. He no longer wished to sell high strength beers. Training had been carried out on the 24 September and further training was booked for 24 December.

In summary, the trading standards officer stated that the Sub-Committee needed to assess whether or not the licensee could manage the business in the future and whether or not a suspension or revocation would be appropriate.

The licensing authority stated he had not been convinced by the evidence. He was concerned that there had not been high standards of management in the premises. The licensee had attended training given by trading standards in 2015. He stated that he had attended this training and knew it was very thorough.

The police stated that they had no evidence that the CCTV hard drive had been taken by police in response to the incident in the premises.

The licensee's representative stated that all conditions proposed were agreed. The licence holder would ensure compliance with these conditions and promote the licensing objectives. The Sub-Committee may feel a suspension with conditions was proportionate and be a deterrent to Mr Kavruk and other licence holders.

#### **RESOLVED**

1) That the premises licence, in respect of Star Food and Wine, 138-140 Balls Pond Road, N1 4AD be suspended for a period of two months and modified with the addition/amendment of the following conditions:-

- Conditions 2 and 3 of the current licence shall be replaced with the police CCTV condition as follows:- 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 24 hrs 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 recording 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.
- A personal licence holder shall be on the premises at all times during opening hours.
- No beers or ciders in cans or plastic bottles above 6.5% shall be sold on the premises.

- All alcohol to be sold in lockable cabinets and cabinets to be locked at all times when a personal licence holder is absent from the premises.

### **REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The LSC found the following facts to have been established that:

- The premises licence was initially granted for 138-140 Balls Pond Road on 12<sup>th</sup> September 2012
- Prior to the new premises licence being granted for 138-140 Balls Pond Road, there were two separate premises licences, one at 138 Balls Pond Road and one at 140 Balls Pond Road.- these 2 licences were surrendered when the new licence for the combined premises was granted
- The current licensee and DPS is Mr. Omur Kavruk, who has been employed at the business since 6<sup>th</sup> July 2012.
- The Licensee attended training for off licence managers provided by the Council. The training and the hand out slides together with the most recent guidance on illicit alcohol and tobacco was provided to all attendees and it was stressed that illicit goods found in off licences was likely to result in strong action
- In January 2016, the respondent became a licensee and DPS.
- On 22<sup>nd</sup> April 2016, a significant quantity of illegal tobacco was found by HMRC officers in two bags kept behind the counter.
- At the time, the respondent informed the HMRC officers that the tobacco belonged to the owner of a nearby café and that he was just looking after it for him.
- On 22<sup>nd</sup> April 2016, Mr. Love of the Islington Council Trading Standards Section found and seized non duty paid alcohol. Some of the alcohol was behind the counter and some was in a store room.
- CCTV footage from the 19<sup>th</sup> April 2016 to 22<sup>nd</sup> April 2016 was requested by the police. This wasn't provided.
- Invoices for the goods seized were not provided to the police
- The duty payable on all the seized goods totalled approximately £1028.
- The Respondent has ordered a new CCTV system, attended training Health and Safety training provided by the Council and has co-operated with the licensing authority and has requested unannounced visits.

The Licensing Authority was concerned about the explanation provided by the licensee for the presence of illicit goods on the premises and found the explanation unsatisfactory and improbable. It appeared as if the licensee was attempting to protect someone.

## Licensing Sub Committee C - 4 October 2016

The Licensing Authority in determining an application for the review of the premises licence, must take such steps as necessary for the promotion of the licensing objectives.

The Act provides that those steps are as follows:-

- To modify the conditions of the licence ( that could be altering, omitting or adding a new condition)
- To exclude a licensable activity from the scope of the licence
- To remove the designated premises supervisor from the premises licence
- To suspend the licence for a period not exceeding three months
- To revoke the licence
- Leave the licence in its existing state

The Sub-Committee was most concerned about the behaviour of the licensee from January to April 2016 and seriously considered revoking the licence.

It was however mindful of the representations by the Trading Standards officer in relation to the attempts made by the licensee since April 2016 to put his house in order, to take his managerial responsibilities seriously, to ensure he and his staff are receiving proper training and most importantly the positive steps taken by the licensee to work with the Licensing Authority to address their concerns and properly comply with the conditions of the licence.

The Sub-Committee imposed specific conditions that a) there should be a personal licence holder on the premises at all times when alcohol was sold and b) alcohol would need to be sold from lockable units. The Sub-Committee imposed these conditions because they were not confident that the licensing objectives would be upheld if there was not a personal licensee on the premises, based upon the poor standards of management exhibited in the past.

Taking all the above mentioned factors into account, the Sub-Committee concluded that the appropriate and proportionate decision at this stage would be not to revoke the license but to suspend the licence for a period of two months and to add the conditions above to the licence.

### **134     THE GREEN HOUSE CAFE, 49 GREEN LANES, N16 9BU - APPLICATION FOR TEMPORARY EVENT NOTICE (Item C1)**

The Sub-Committee noted that this item had been withdrawn by the applicant.

The meeting ended at 8.30 pm

**CHAIR**

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Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	17 <sup>th</sup> January 2017		St. Mary's

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION  
BEYOND BREAD, 267 UPPER STREET, LONDON, N1 2UQ**

### 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 allow:
  - The sale by retail of alcohol, on supplies only, Mondays to Thursdays from 08:00 until 22:30, Fridays & Saturdays from 08:00 until 23:30 and Sundays from 09:00 until 22:30; and
  - The premises to be open to public, Mondays to Thursdays from 08:00 until 23:00, Fridays & Saturdays from 08:00 until 00:00 and Sundays from 09:00 until 23:00.

### 2. Relevant Representations

Licensing Authority	No
Metropolitan Police	No: Conditions agreed
Noise	No: Conditions agreed
Health and Safety	No
Trading Standards	No

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 9 local residents
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 During the consultation period the Licensing Police and the Council's Noise Service put forward additional conditions which were agreed by the applicant and can be found at appendix 3.

### **4. Planning Implications**

4.1 The planning status of the premises will be confirmed at the meeting.

### **5 Recommendations**

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

5.2 These premises are located in the Angel and Upper Street Cumulative Impact Area therefore the Licensing Committee will need to consider Licensing Policy 2, which states that there is a presumption of refusal unless the Committee is satisfied that there will be no adverse cumulative impact on 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

5/1/17  
Date

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

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

\* required information

**Section 1 of 19**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	JXC/BEY007.005	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

* First name	Elena	
* Family name	Golubovich	
* E-mail	elena@beyondbread.co.uk	
Main telephone number	0207 1833213	Include country code.
Other telephone number		

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader  
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

\* Registration number 008804239

\* Business name Beyond Bread Limited

If the applicant's business is registered, use its registered name.

\* VAT number GB 196027590

Put "none" if the applicant is not registered for VAT.

\* Legal status Private Limited Company

**Continued from previous page...**

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

\* Is your business registered in the UK with Companies House? ☐ Yes ☒ No

\* Is your business registered outside the UK? ☐ Yes ☒ No

\* Business name

If your business is registered, use its registered name.

\* VAT number

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

\* Legal status

*Continued from previous page...*

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 19

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales
- ☐ Other (for example a statutory corporation)

### Confirm The Following

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

## Section 4 of 19

### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

**Continued from previous page...**

Limited company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

Add another applicant

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premises consists of 794 square foot, it encompasses a food service counter towards the front part of the premises and a seating area towards the back of the premises with an outside garden area. The premises operates by serving pre-prepared gluten free food to be consumed on and off the premises. The premises has a capacity for no more than 48 people. There will be table service for service of alcohol with food only in the seating areas described. Only gluten free alcohol will be served on the premises with food.

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

<i>Continued from previous page...</i>	
<b>Section 6 of 19</b>	
<b>PROVISION OF PLAYS</b>	
Will you be providing plays?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 7 of 19</b>	
<b>PROVISION OF FILMS</b>	
Will you be providing films?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 8 of 19</b>	
<b>PROVISION OF INDOOR SPORTING EVENTS</b>	
Will you be providing indoor sporting events?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 9 of 19</b>	
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>	
Will you be providing boxing or wrestling entertainments?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 10 of 19</b>	
<b>PROVISION OF LIVE MUSIC</b>	
Will you be providing live music?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 11 of 19</b>	
<b>PROVISION OF RECORDED MUSIC</b>	
Will you be providing recorded music?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 12 of 19</b>	
<b>PROVISION OF PERFORMANCES OF DANCE</b>	
Will you be providing performances of dance?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 13 of 19</b>	
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>	
Will you be providing anything similar to live music, recorded music or performances of dance?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 14 of 19</b>	
<b>LATE NIGHT REFRESHMENT</b>	
Will you be providing late night refreshment?	



**Section 15 of 19****SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes☐ No**Standard Days And Timings****MONDAY**Start End Start End 

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

**TUESDAY**Start End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End 

Will the sale of alcohol be for consumption:

☒ On the premises☐ Off the premises☐ Both

If the sale of alcohol is for consumption on  
the premises select on, if the sale of alcohol  
is for consumption away from the premises  
select off. If the sale of alcohol is for  
consumption on the premises and away  
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Bank Holiday activity times will be 9:00 to 22:30.



**Continued from previous page...**

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

## Section 16 of 19

### ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

--

## Section 17 of 19

### HOURS PREMISES ARE OPEN TO THE PUBLIC

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

##### SUNDAY

Start

End

Start

End

State any seasonal variations

**Continued from previous page...**

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Bank Holidays opening times will be 9.00 to 23:00

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 18 of 19

### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The applicant will apply a standard of operation which will ensure compliance with all four licensing objectives based upon factors more particularly outlined in (b) to (e) below.

The Premises primarily operates to sell food to be consumed on and off the premises and has a maximum capacity of no more than 48 people in the premises at any one time;

Only Gluten Free Alcohol will be sold on the Premises;

Alcohol will only be sold by the Designated Premises supervisor or by those authorised by the Designated Premises Supervisor;

All reasonable steps will be taken by the responsible person to ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

b) The prevention of crime and disorder

The applicant has existing fully operational CCTV and will ensure supervising staff are fully trained in it's use, the recording system is being installed, and will be operated and maintained (serviced once a year) in agreement with the police, the recordings will be made available to the police or an authorised officer at their request,

The applicant will operate the Challenge 25 Scheme by way of training their staff, advertising and record keeping in accordance with the scheme;

Any incidence of public disorder will be recorded in an incident book and reported to the police;

The designated premises supervisor or person in charge of the premises at the time will ensure that customers carrying alcohol, not purchased from the premises, will not be permitted on the premises at any time that the premises are open to the public and that any alcohol purchased will only be consumed on the premises;

Alcohol will only be served with food orders;

Last orders announcement will be made 20 minutes before the end time for selling and serving Alcohol;

Alcohol will be locked away daily securely at the end time for selling and serving Alcohol.

c) Public safety

Daily safety checks will be carried out of the premises before opening and recorded in a log book;

All fire exits are easily operable without the use of a key or other means and will be kept clear;

Facilities are available for disabled people and staff are trained in the arrangements for emergency evacuation generally

**Continued from previous page...**

and for disabled people, in the event of an emergency, the training of staff is logged;  
Emergency lighting is installed on the premises;  
First aid equipment is on the premises with a fully trained first aider on the premises at any one time;  
CCTV is in use during the opening times of the premises and staff are fully trained in the use of the same;  
Notices will be displayed warning customers of the need to guard their possessions and report any concerns to the person in charge of the premises of the designated premises supervisor.

**d) The prevention of public nuisance**

The applicant's premises are non-smoking as well as any outside areas at the back of the premises, which was open for customers use, there are no smoking signs present;  
Notices will be placed at all exits reminding customers to respect the needs of local residents and to leave the premises quietly;  
Doors and windows to the premises shall remain closed as far as reasonably practicable although no food is cooked on the premises and the kitchen area is only used for preparation of food so smell is limited;  
Food waste and general rubbish are placed in waste bags provided by the Council at the end of each night and placed in the the designated waste collection areas every night for collection the next morning.

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

The Challenge 25 Scheme will be adopted by the applicant by way of training their staff, advertising and record keeping in accordance with the scheme and BII National Standards Proof of Age Scheme;  
Staff will be trained about restricted age products and requesting ID before serving alcohol to young persons and be required to confirm their understanding of the policy in place, the applicant will keep a record of all training and instructions to staff;  
All staff will be regularly monitored to ensure that they are complying with the restrictions on age related products;  
All refusals to sell to young people will be noted in a designated log book which will be checked and signed monthly by the designated premises supervisor. The log book shall be made available to the police, trading standards of licensing team at their request.

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.  
Premises Licence Fees are determined by the non domestic rateable value of the premises.  
To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.



**Continued from previous page...**

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

315.00

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.



Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Jenny Chan

\* Capacity

Solicitor

\* Date

14

/

11

/

2016

dd

mm

yyyy

Add another signatory

Once you're finished you need to do the following:

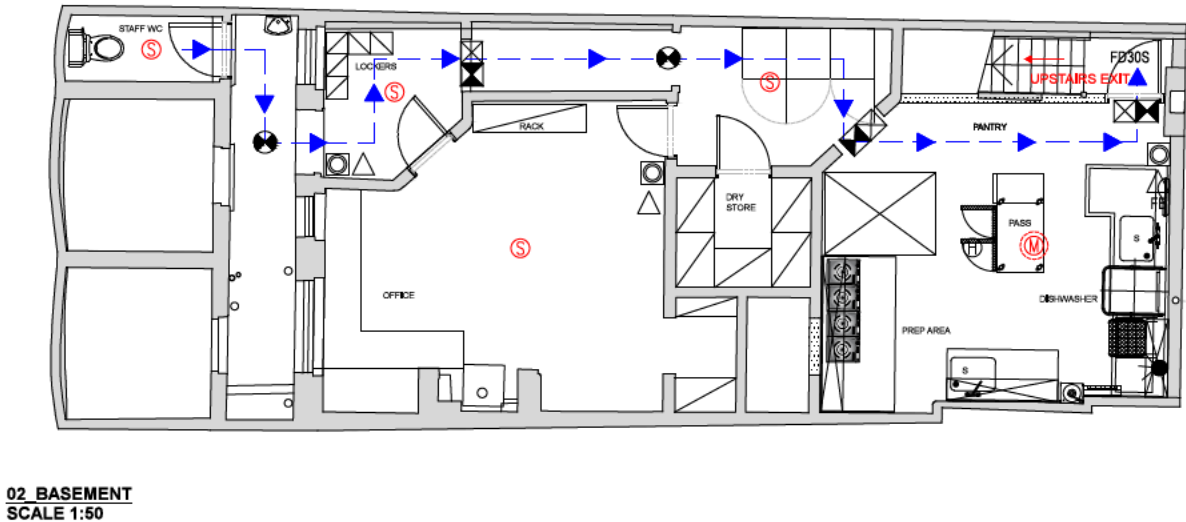
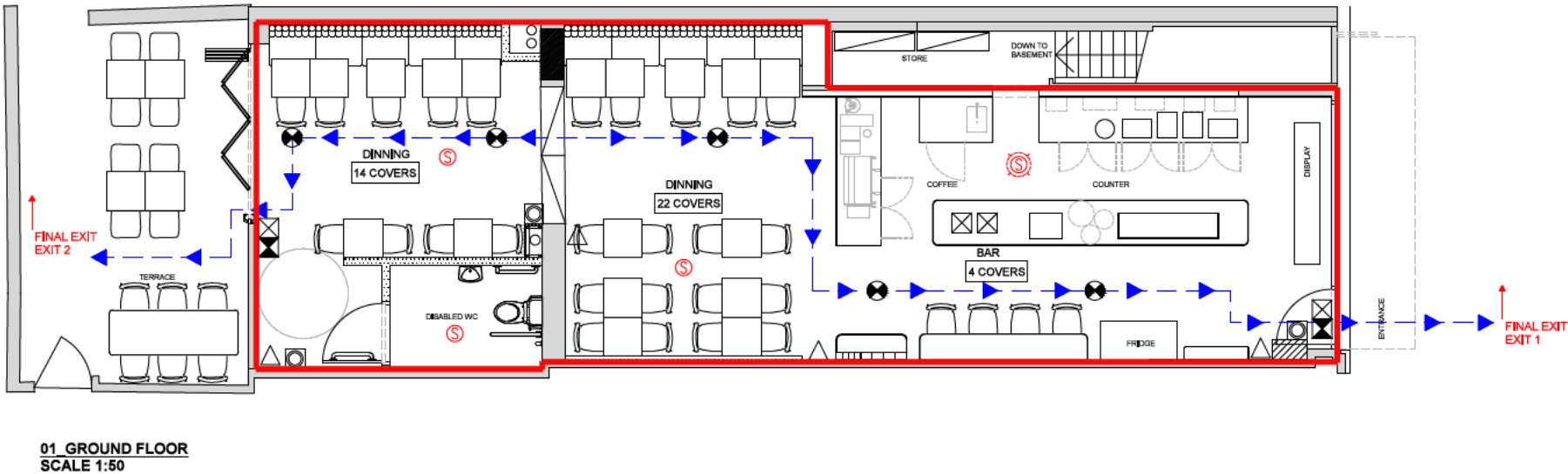
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

OFFICE USE ONLY

Applicant reference number	JXC/BEY007.005
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>



LEGEND	
FD30S	HALF HOUR FIRE RATED DOOR WITH INTUMESCENT STRIPS & COLD SMOKE SEALS
PB	PUSH BAR
	SPECIFIC EMERGENCY LUMINAIRES - ENCLOSED TYPE
	FIXED ALARM CONTROL PANEL - INTERLINKED WITH LANDLORDS PANEL
	EMERGENCY LIGHTING EXIT SIGN - INTERNALLY ILLUMINATED
	FIRE EXTINGUISHER
FB	FIRE BLANKET
	FIXED ALARM DEVICE CALL POINT - MANUAL TYPE
	PROPOSED LICENSED AREA BOUNDARY
	PROPOSED FIRE EXIT ROUTE
	SMOKE DETECTOR
	SMOKE DETECTOR WITH COMBINED SOUNDER BASE (BEACON & AUDIBLE)
	ACCESS PANEL TO NEW PLAN DECK
	HEAT DETECTOR
	SOUNDER BEACON BASE COMBINED WITH WHITE CAP (VAD)
INT	FIRE ALARM INTERFACE
CONTRACTOR TO ADVISE ON LOCATION OF INTEGRATED EMERGENCY LIGHTING	

**SUPERFUTURE2**

51 Calthorpe Street  
London WC1X 0HH  
tel: +44 20 3397 1999  
info@superfutures.co.uk

Revision	Date	Issue	Notes
04/05/2016	Rev.A	Construction Issue	Licensing Plan
13/10/2016	Rev.B		

Revision	Date	Issue	Notes

Notes

1. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT DESIGN PRINCIPLES, CALCULATIONS, DRAWINGS AND FINAL CONSTRUCTION CONFORM TO THE CURRENT BUILDING REGULATIONS, THE COM REGULATIONS, THE RELEVANT BRITISH OR EUROPEAN CODES OF PRACTICE AS APPROPRIATE.

2. THE CONTRACTOR MUST VERIFY ALL THE DIMENSIONS, DRAWINGS, DETAILS AND SPECIFICATIONS AND REPORT ANY DISCREPANCIES TO SUPERFUTURES BEFORE PROCEEDING WITH ANY WORK.

3. ALL SPECIFIED ITEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

4. ALL DIMENSIONS ARE IN MILLIMETERS. DO NOT SCALE FROM THE DRAWINGS.

5. THE CONTRACTOR IS TO CHECK AND APPRAISE ALL DESIGN FITTING AND CONSTRUCTION DETAILS TO ENSURE SUITABILITY, STABILITY AND STRENGTH FOR INTENDED APPLICATION AND OFFER ALTERNATIVES TO THE DESIGNER FOR APPROVAL.

6. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE OTHER RELEVANT CONSULTANTS DRAWINGS.

7. COPYRIGHT OF SUPERFUTURES. MUST NOT BE REPRODUCED WITHOUT WRITTEN CONSENT.

Project

Beyond Bread  
267 Upper Street, Islington  
London, N1 2UQ

Scale

1:50 @ A1  
1:100 @ A3

Drawing name

Licensing Plan - Ground Floor + Basement

Date

23.03.16

Drawing number

BB01.206

Revision

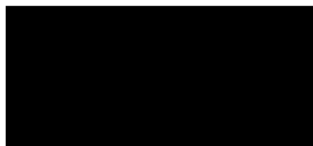
B

## Consent of individual to being specified as premises supervisor

I **Katarzyna Anna Kendzia**

-----  
*[full name of prospective premises supervisor]*

of



-----  
*[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

**Premises Licence for Beyond Bread Limited at 267 Upper Street, London, N1 2UQ**

-----  
*[type of application]*

by

**Elena Golubovich for Beyond Bread Limited**

-----  
*[name of applicant]*

relating to a premises licence

-----  
*[number of existing licence, if any]*

for

**Beyond Bread limited, 267 Upper Street, London, N1 2UQ**

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



and any premises licence to be granted or varied in respect of this application made by

Elena Golubovich for Beyond Bread Limited

-----  
*[name of applicant]*

concerning the supply of alcohol at

Beyond Bread limited, 267 Upper Street, London, N1 2UQ

-----  
*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

████████████████████

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

██

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

██

Name (please print)

Katarzyna Anna Kendzia

Date

14/11/2016

**Whitton, Daniel**

---

**From:** [REDACTED]  
**Sent:** 12 December 2016 12:54  
**To:** Licensing  
**Subject:** Beyond Bread license opposition REFERENCE: WK/ 160035609

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

REFERENCE: WK/ 160035609

Dear Sir/Madam,

I am a resident of the [REDACTED] and have recently heard that the shop – Beyond Bread, who occupy the shop [REDACTED] have put in an application to change their licence, in order for them to increase their opening hours and to sell alcohol. I would like to object to this application for a number of reasons.

I feel that as a resident I am already subjected to an unfair amount of noise from the premises, and additionally of other recently opened premises around our flat.

Originally when I moved into the property this year the shop was a hairdresser. The change to a bakery has already increased the amount of noise and footfall to the area. The bakery is open early and as our bedroom [REDACTED] – we are often woken up early in the morning with people talking outside the back of the property.

My partner and I, both work [REDACTED] – which has strange working hour patterns – often I am working late into the night and rely on a morning lie-in to recover for the next day. However, this has become more difficult to do recently with the increased noise from out the back of the property in the morning with people sitting at tables. I fear that if an alcohol licence is also granted for Beyond Bread, then the noise will increase also at the other end of the day. This will mean that we will be disrupted at both ends of the day with noise from the garden as well as the after effects of the clean-up at closing time (the chinking of bottles etc etc as things are packed away as well as no doubt increased music and people's voices – increased laughter and shouting)

In addition to this, I would like to add that the bakery has also affected our lives in other ways. They have placed table outside the shop which has made it increasingly difficult to get into our own house on occasion. There have been several instances of people blocking our doorway with overcrowding and bags where it has been exceptionally difficult to get into and out of our own property.

We have had to ask people to move from standing outside our door (or even sitting on the door step) which makes us feel very uncomfortable and a worry for the safety of our property.

We bought the house with a firm understanding that we would not [REDACTED] a late night premise. We are currently trying for a baby and the thought that the premise could influence the place where we thought we could sleep peacefully is very worrying. If our plan for a baby does occur in the next year or so this planning application will also affect our new born child – I worry about the noise late into the night as well as the increased pollution that an alcohol licence will emit for the baby. Undoubtedly there will be extra cigarette smoke coming from the back of the bakery as well as more dangerous behaviour from customers after alcohol consumption.

We have seen increased noise and the knock on effects from the 'restaurant' [REDACTED] - 100 Islington. This late night restaurant/bar has become a late night hot spot in the area. Customers who sit outside already produce a lot of unwanted noise – shouting, singing etc. I fear that this pattern of behaviour will also be replicated from the bakery [REDACTED] – thus meaning we are [REDACTED] two late night hotspots.

It appears that a cumulate affect is happening in the area of increased noise, pollution and the threat and effects of crime - late night licences will only add to the problem and increase the number of people coming to the area, making it more unsafe, louder and more polluted. Only two weeks ago I witnessed a full on brawl outside the flat where a man was seen barging a police officer and getting arrested in the process. These incidents will increase with more access to alcohol.

Upper Street and the surrounding area already has a great deal of late night spots – such as the pub on the corner – The Hope and Anchor - (even though this is venue 200 meters away on occasion we can still hear music being played from the late night entertainment) and people shouting from across the road. There are a lot of bars that are open till 2am and I feel that this planning application will only increase the noise, pollution, and crime incidents in the surrounding area. If the general public want to go somewhere in the surrounding area there is already 5/6 places that are open till very late in the evening for them to do so – so I feel upholding this application will not have a detrimental effect on people who want to drink in the area – there are other places to go.

Lastly, I am concerned about the effect this new licence will have on the house price – it is often shown that living [REDACTED] drinking establishment with a late night licence has a detrimental effect on a property's house price. As this was not in the original application from Beyond Bread – after taking over the hairdresser – we would have seriously reconsidered buying our property in the summer if this had come to light any earlier in the process.

Thank you for reading my objections and I hope you consider these points. I have spoken to many neighbours in the surrounding area and they all share my concerns about this application. I am very happy to discuss these objections with you in the near future.

Kind regards,

A solid black rectangular box used to redact the signature of the sender.

**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** Beyond Bread 267 Upper Street  
**Date:** 09 December 2016 19:16:02

---

[REDACTED]

With reference to this Bakery requesting permission to open late and serve alcohol .  
We strongly object to this request.  
Loud talking carries extremely well from their outside courtyard which is shared by  
all the surrounding properties.  
In the summer on their opening night the noise was so loud, closing our windows  
did not help.  
At midnight I confronted the owner who seemed completely oblivious to the nuisance  
this establishment was causing to the neighbours.  
This on a regular basis would impact on our well being.  
Also this area is relatively secure.  
This will allow the only access to the rear available open to the general public at night,  
which may lead to unwanted criminal activity.

[REDACTED]  
9/12/2016.

Sent from my iPad

**Whitton, Daniel**

---

**From:** [REDACTED]  
**Sent:** 07 December 2016 18:35  
**To:** Licensing  
**Subject:** Representation against New License Application WK/160035609

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Premises Name and address: Beyond Bread, Basement and Ground Floors, 267 Upper Street, Islington, London N1 2UQ.

[REDACTED]

I would like to make a representation against both of the activities applied for in the new Premises License Application of the Beyond Bread Bakery (your ref: WK/160035609).

#### **The Prevention of Crime and Disorder**

Upper Street is in a cumulative impact area. This area has therefore been identified by the council as having a very high density of late night venues serving alcohol. The council also confirms that the more venues of this type in a given area lead to more alcohol related crime and ambulance call outs. The local crime statistics already show a high rate of vandalism and theft within a block of these premises. Two local shops within the last year have had their windows smashed at night (Sefton directly opposite and Budgens 13 shops down. In the mornings (Friday, Saturday and Sunday in particular), there is usually litter and other obvious signs of vandalism and destruction on the road. Groups of people having both verbal and physical altercations in the evenings are frequent and, at times, very loud. These confrontations have regularly extended into the road obstructing traffic.

I cannot see how another late night venue (whether it serves alcohol or not) will improve this situation.

#### **The Prevention of Public Nuisance**

Upper Street is thriving during the day and can get even louder at night due to clientele entering and leaving restaurants and bars further down the street. These customers are not always considerate in terms of noise, nuisance and general disturbance, especially in the evening and late at night. This noise, nuisance and general disturbance will only be compounded by the introduction of another venue that is either open late at night and/or offering alcohol in the area.

The parade of shops where Beyond Bread is situated, have mainly residential flats above them and their rear aspects face the gardens of an entirely residential road (Tyndale Terrace). Beyond Bread is the only business to have their rear outside space open to customers. The rear of the property has always been extremely quiet despite its close proximity to Upper Street. As a result, noise carries extremely well. Over the summer I have unfortunately heard word for word conversations held by people in this courtyard from my bedroom which is separated from these tables and chairs by the bakery's large extension. I am very concerned that many of the local residents will be negatively impacted by conversations of the patrons of the bakery both with the long extended opening hours and the introduction of alcohol. Noise carries especially well at night and voices tend to be raised with alcohol. This will be particularly disruptive in the summer to all local residents as bedrooms will be situated away from Upper Street towards the rear and will detrimentally affect those opposite.

I live [REDACTED] the bakery and any changes to the premises licence of the bakery will have a profound adverse effect on my quality of life in terms of noise. From the first day the shop opened I have been in ongoing contact with them regarding the volume of their music which was so loud it drowned out what I was listening to on my radio

situated less than [REDACTED]. Even at a lower volume in parts of my flat I can sing along with the song played. This has been an ongoing misery for me as their music plays all day. Within the last 3 weeks Beyond Bread has replied to me regarding their music and offered to move their speakers. They have done so and the volume has reduced but I can still identify the songs played. I have been in touch with Islington Council's noise team regarding this issue, to request advice. I was therefore extremely concerned by the information you provided with the details of this application which clearly state that alcohol licenced premises do not need to request permission for music to be played through an amplifier.

I have other concerns regarding noise. I have been woken at 5.30am by hammering and 6am by loud drilling work in the shop (prior to the speakers being changed). My neighbours have approached me about the drilling understandably upset as the staff in the shop reported that [REDACTED] gave them permission to do this work. I have spoken to my other neighbour [REDACTED] and neither of us had this conversation with the staff. In fact, they have not contacted either of us about any of their plans at all. I am worried that this displayed lack of consideration to local residents in general and during antisocial hours will continue with a much larger scope to cause distress if the license is granted.

On a personal level, [REDACTED]  
[REDACTED] If I am prevented from sleeping by noise late at night, especially on Fridays and Saturdays when the bakery have requested to stay open until midnight, I will not get enough sleep before going to work. I do not think this is fair.

#### **Public Safety**

As previously stated, Upper Street is in a cumulative impact area with recognised high levels of alcohol related crime and high ambulance call outs. Introducing a further late night venue will attract more people to the street and venue who may or may not be intoxicated leading to ever increasing concerns regarding public safety in an area which is already a crime hotspot.

On a personal level, I would have concerns about my personal safety. The bakery has set up tables and chairs on the pavement outside the shop without consultation. This is a small space and if occupied, I need to ask patrons to move [REDACTED]. Only once has a person been aggressive and rude but this was during the day. The bakery and the rear outside space are non-smoking. If a person would like to smoke they will need to go to the public space outside the front on the pavement where the tables and chairs are situated. This would enable people who may have been fortified by several glasses of wine to stand or sit [REDACTED]. This would be a daunting prospect to face late at night if I am alone.

#### **The Protection of Children from Harm**

I would assume that the bakery will not serve alcohol to underage patrons. My main concern in respect of child protection would be for the families with young children whose gardens and houses are directly connected to the courtyard at the back of the bakery and the effects of noise late at night preventing children from sleeping.

Yours faithfully,

[REDACTED]

[REDACTED]

**Whitton, Daniel**

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**From:** [REDACTED]  
**Sent:** 06 December 2016 19:12  
**To:** Licensing  
**Subject:** Fwd: Beyond Bread, Basement and Ground Floors, 267 Upper Street, Islington, London, N1 2UQ, REF: WK/160035609

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sirs/Madam

**REF: BEYOND BREAD, BASEMENT AND GROUND FLOORS, 267 UPPER STREET, ISLINGTON, LONDON, N1 2UQ, REF: WK/160035609**

I am writing to comment on the licensing applications proposed by the above.

Please see listed below my objections to this application

The prevention of public nuisance

1. Noise from customers especially in the courtyard. *When they had their opening party I could hear the noise in my bedroom, it was very disturbing. This will be magnified with consumption of alcohol. The opening hours are late and this will affect my health and wellbeing, at the moment there is quite some noise on Friday and Saturday nights with the existing bars and restaurants in the nearby area, granting a licence to another premises will only intensify this. Upper Street is already in a "Cumulative Impact" area.*
2. Fumes from smokers entering local residents properties- *Although at the moment the schedule shows no smoking outside I am concerned this may be overridden or relaxed as cigarettes and alcohol go hand in hand and this will be difficult to monitor unless a member of staff is outside with customers the whole time.*
3. Loss of privacy to surrounding residents: *residents on Upper Street and some from Tyndale Terrace are also able to overlook the courtyard, so if we are able to see customers in the courtyard they will be able to see into our properties therefore we would have a loss of privacy.*
4. Extended opening hours creating noise at unsociable hours.
5. Over crowding of pavement to the front of the premises. *Tables and chairs outside the front of the premises forces the public to walk in the road to get past this area, this will be especially difficult for people with prams, pushchairs or mobility aids.*



6. Loss of character to a conservation area. *At the moment the area is very much a village feel but I am concerned that this will become another hub for bars and clubs, thus losing the current character of the area.*
7. Alcohol consumption outside the premises on the public through faire could lead to unsociable and threatening behaviour making local residents feel vulnerable when leaving or entering their properties.
8. This would set a precedence for other licensing applications opening up the avenue for this area to turn into a lively bar/club area

#### The prevention of crime and disorder

1. Increase possibility of crime and disorder through alcohol consumption in a public space, e.g., vandalism, unsocial behaviours. *As it is this is in a Cumulative impact area and having another venue serving alcohol will only increase crime and disorder.*
2. *It was quite scary to hear the vandalism of the shops [REDACTED] myself 'Sefton' and very disturbing. Increasing the number of places offering alcohol late into the night will only encourage anti social behaviours.*

#### Public safety.

1. Increased possibly of crime and disorder due to alcohol consumption in a public space to the front of the premises.
2. Over crowding on payment at the front of premises
3. Late night openings and drinking at the front of the premises could potentially lead to public affray and local residents could feel intimidated and vulnerable when entering or leaving their premises.
4. Restriction of access along the pavement for people especially those with prams , walkers or wheel chairs.
5. Obstruction on payment for visually impaired people.
6. Increased alcohol consumption could spur drinkers to abuse the public walking past.

#### The protection of children from harm

There is a school nearby who passes the bakery to walk home. My concern is that long lunch time drinking at the front will cause disruption to the children and lead them to believe that drinking with light meals is acceptable.

Kind Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

**Whitton, Daniel**

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**From:** [REDACTED]  
**Sent:** 12 December 2016 11:49  
**To:** Licensing  
**Subject:** Re: BEYOND BREAK BAKERY - REFERENCE CODE WK160035609

Dear Licensing Department,

You acknowledged my email below and wrote back asked for my address it is

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 05 December 2016 23:58  
**To:** [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)  
**Subject:** BEYOND BREAK BAKERY - REFERENCE CODE WK160035609

Dear Licensing Department,

I am writing to object to a license being granted to sell alcohol and stay open later at Beyond Bread Bakery at 267 Upper Street.

Upper Street and Angel are in one of the six cumulative impact areas of Islington. As you know this means that these areas already have a very high density of late night venues serving alcohol and it is we known that more venues of this type in area lead to more alcohol related crime and ambulance call outs.

The local crime statistics show a high rate of vandalism and theft just within our part of Upper Street and the streets off it. Within the last year or so both the shops Sefton and Budgens have suffered front windows being smashed.

I am not suggested that Beyond Bakery will be a hub for crime, but I cannot see that increasing the number of places which offer alcohol late into the night can improve the situation.

There are plenty of restaurants and bars surrounding Beyond Bread where people can buy alcohol and I think these are more than adequate for the area and the people who frequent these places.

Your comments would be appreciated.

**Whitton, Daniel**

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**From:** [REDACTED]  
**Sent:** 27 November 2016 21:33  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Licensing representation - Beyond Bread 267 Upper Street

I wish to comment on the license application of Beyond Bread, 267 Upper Street, Islington, N1 2UQ

**Name**

[REDACTED]

**Interest**

My wife and I own and reside at [REDACTED] This is our permanent residence and we live here with our two daughters, who are [REDACTED] and [REDACTED] years old.

Our house is very close to Beyond Bread. The back extension of Beyond Bread is very close to [REDACTED].

The back extension of Beyond Bread opens into a small back patio. From there, customers could [REDACTED]

[REDACTED] If the door of the back patio is open, we can clearly hear chattering coming from inside Beyond Bread from the inside of our house.

**Emails**

[REDACTED]

**Telephone**

[REDACTED]

**We wish to make representation that we do not support the change in license application proposed by Beyond Bread, both for the sale of alcohol as well as for longer opening hours.**

We think it's important to strike the right balance between the quality of life of the families who reside in the area and the businesses of the area. Beyond Bread seems to be already very successful as a coffee shop.

**Our main worry is with nuisance levels.** We think that the level of noise will increase to levels unacceptable to working families in the area, and we would be among the most affected.

We already have in the area the restaurant called "100 Islington", which also has a back extension which is [REDACTED] from our main residence. At times we can already hear chatter coming from this premise. At least "100 Islington" has no doors or windows that open up into the back patio, so this is mostly kept to a minimum, although in the summer noise is louder than average.

Adding another such business would further increase the level of noise in an exponential manner.

Furthermore, Beyond Bread has a back extension with a large door that opens into a patio. This is the only business in that area of upper street to have such features. This would result in people being outside the back patio, possibly smoking, drinking and talking loudly until very late in the night, both on weekdays and weekends. In addition, Beyond Bread premises are too small to accommodate not only a coffee place, but also a bar or restaurant. It would inevitably lead to overcrowding (given the success of the shop) and therefore high level of nuisance.

Currently Beyond Bread keeps a very quiet appearance (which we think it's part of its success). Music on the premise is kept at a minimum. This would inevitably change once Beyond Bread is allowed to serve alcohol. The music level would likely increase, especially late in the evening.


We are not overly worried about the impact on crime and disorder and general public safety.

With regards to the protection of children from harm, we would like to point out a possible risk.

Should the premise be open until late and people allowed in the back patio, we worry that possible smoking there would lead not only to smells and smoke being emitted into our back garden, but also we worry that cigarette butts could be thrown into our garden.

We are happy for Beyond Bread, for having quickly become a successful shop in the area and wish it the best as a coffee shop, but we think it should remain as such and not sell alcohol or be open until late in the night.

Kindest regards



**From:** [REDACTED]  
**To:** [Licensing](#)  
**Subject:** ref: WK/160035609  
**Date:** 09 December 2016 11:57:14

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To whom it may concern,

I am getting in touch with regards to 'Beyond Breads' request for a change in their license permitting them to serve alcohol and open late.

As a very local resident to this site, [REDACTED] the communal alley way on which Beyond Bread's courtyard sits I have some major concerns about giving this business an extended license permitting them to open late and serve alcohol.

I am very aware that living in a highly congested area of London development is inevitable and I accept that - however having had to put up with a lot of issues from the restaurant (100 / previously Ziloufs) with their staff using the alley way for their breaks and throwing cigarette butts and beer bottles into our garden that enabling customers who have been drinking and will no doubt also be allowed to smoke will make this already frustrating issue even greater. It genuinely is a real public nuisance and for me finding litter - including cigarette butts in my garden is potentially a hazard to my very young children!

On a less personal level I also just don't feel a coffee shop or any other venue selling alcohol in this area is necessary - we have a very heavy populated area of bars and restaurants already selling alcohol late at night that there can't possibly be a need for another. We are all aware that alcohol related crimes increase police and ambulance call-outs and aiding that in any way seems inappropriate. We have seen a fair amount of vandalism within this area at the top of Upper Street with both Budgens and Sefton having their windows smashed - so I worry that opening yet another alcohol serving venue will only exacerbate an already difficult and upsetting situation for local residents.

I do hope you take all the above points into consideration when reviewing Beyond Breads request for a changes to their license as these changes will significantly affect local residents (and our children) in this area.

Many thanks and kind regards

[REDACTED]

**Whitton, Daniel**

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**From:** [REDACTED]  
**Sent:** 07 December 2016 22:03  
**To:** Licensing  
**Subject:** Beyond Bread license opposition REFERENCE: WK/ 160035609

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[REDACTED]

REFERENCE: WK/ 160035609

To whom it may concern,

I am a resident of [REDACTED] and would like to make an impassioned opposition to a change in the licence of Beyond Bread.

We are already subjected to an unfair amount of noise from the premise, and additionally of recently opened premises around our flat.

When we originally looked at the property which we purchased only this year, the shop [REDACTED] was a hairdresser, so we had no worries in this respect. We are already perturbed by the change in the area - an increase in footfall, traffic and noise and fear this will only get worse if these changes are allowed to occur.

We found this summer we were unable to have our windows open at the rear of the house due to customers of Beyond Bread loudly talking and smoking in the rear garden. The bakery is open early (7.30 am) with families often gathering early in the morning in the rear, below our windows. And now with plans for extended hours late into the night and the addition of an alcohol licence, we fear this will only increase the problem.

Our bedroom is [REDACTED] the area which is already being affected and there is no alternative for us to change this. If it is just us being woken with families with young children who sit outside shouting and crying early in the morning – it is annoying, but if it is both us being woken early and being kept up with a late night licence it seems wholly unfair.

It is not fair on our quality of life - we both work full time, sometimes up to 100 hours a week and my partner often working nights. It is impossible to maintain this is the noise we have in the morning is equaled in the evening and we cannot go to bed early.

In addition to this, the tables in the back of the cafe can see [REDACTED] and being unable to do anything without the blinds shut for fear of customers looking in, it is a real inconvenience and something I did not envisage being a problem when the property was used as a hairdressers and the rear garden unused.

There have been several times when people sat on the tables outside on the pavement [REDACTED] [REDACTED] have been standing and obscuring the door way or crowding outside. We have had to ask people to move from standing outside our door (or even sitting on the door step) which makes us feel very uncomfortable and a worry for the safety of our property.

I am also very worried about the increased traffic outside our house. Taxis, Uber, Deliveroo and Uber Eats already cause huge noise and air pollution with noisy motorbikes, they will undoubtedly be stopping outside the premise to pick up food and passengers making the problem much worse. So many times there have been over 5 Ubers waiting outside, engines on - Upper Street is already so polluted and again, the increase of late night premises will only make this worse.

Also, Deliver and Uber Eat drivers who pick and drop off food from the restaurants use motorbikes which cause huge noise issues on the road.

Beyond Bread are not considerate of their noise now. They play music early which we can hear [REDACTED] and they have often used power tools in the morning. This is very worrying as it shows they already have a disregard for us.

We bought the house with a firm understanding that we would not be [REDACTED] late night premise. We are currently trying for a baby and the thought that the premise could influence the place where we thought we could sleep peacefully is very worrying. It is so upsetting to think that we will have more noise late into the night.

On top of this, the thought that we would have cigarette smoke coming into the house, people drinking loudly [REDACTED] and talking late into the evening is so worrying. We moved here to make it a family home and it's very upsetting that this is being jeopardised when we have only lived here for under a year and we're only just finding our feet. I don't want this to be an unhealthy place to live.

It is not just the addition of this license which is the worry. It is so unbelievably loud. There seems to be a cumulative noise and crowding of the area from the recently opened 100 Islington who continue to play loud music late into the night, often outside. This having kept us up numerous times - and in fact employs a bouncer deeming it more of a night hot spot than the restaurant it claims it is.

On top of the noise produced by customers, who leave shouting, singing, being sick on the street. The staff tip bottles and recycling away very loudly at night around 3am which frequently wakes us up. A problem we feel could be replicated from below.

Additionally, groups of people gather outside waiting for taxis, chanting, singing and talking loudly making it feel quite busy and unsafe. It appears that a cumulative affect is happening and late night licences will only add to the problem and increase the number of people coming to the area, making it more unsafe, louder and more polluted.

There was a fight outside our property late at night a few weeks ago and opening more late night premises only encourages more people to the area and increases the risk. There was also a fight outside the 6th of November when we saw a man arrested outside our flat.

Thank you for reading and I hope you consider these points. I am happy to represent them in any way possible to stop this going ahead.

Best wishes,

[REDACTED]



**Whitton, Daniel**

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**From:** [REDACTED]  
**Sent:** 14 December 2016 09:26  
**To:** Licensing  
**Subject:** Re: Licensing representation

Oh - that's frustrating.

I basically said that I wouldn't want anything to add to sound disturbance - e.g. drinking/ smoking later the rear yard - music etc. and would not want the place to turn into a club in future. I think the owners need to be more considerate of neighbours - e.g. they have been drilling at 6am in the morning and their launch party was very loud. We recognise this is a cafe and I think serving alcohol with food is a reasonable request - I just ask they are more considerate of their neighbours.

On 13 December 2016 at 10:35, Licensing <[Licensing@islington.gov.uk](mailto:Licensing@islington.gov.uk)> wrote:

Dear [REDACTED]

I am afraid to say that it appears that it hasn't come through.

If you could email us your representation I will make sure its included.

Kind Regards

Christopher Montanez

Licensing Support Team Manager

[0207 527 3200](tel:02075273200)

**From:** [REDACTED]  
**Sent:** 12 December 2016 22:53  
**To:** Licensing  
**Subject:** Licensing representation

Hello

I submitted a licensing representation about the Beyond Bread application tonight and got this from the website - just checking it went through okay.

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

1. Only Gluten Free Alcohol can be made available for sale under this licence;
2. Maximum capacity for the premises at any one time is:
  - 48 persons.
3. Alcohol will only be served with food orders;
4. Last orders announcement will be made 20 minutes before the end time for selling and serving Alcohol;
5. Alcohol will be locked away daily securely at the end time for selling and serving Alcohol;
6. Any incidence of public disorder will be recorded in an incident book and reported to the police;
7. The designated premises supervisor or person in charge of the premises at the time will ensure that customers carrying alcohol, not purchased from the premises, will not be permitted on the premises at any time that the premises are open to the public and that any alcohol purchased will only be consumed on the premises;
8. Notices will be displayed warning customers of the need to guard their possessions and report any concerns to the person in charge of the premises of the designated premises supervisor;
9. First aid equipment is on the premises with a fully trained first aider on the premises at any one time;
10. Daily safety checks will be carried out of the premises before opening and recorded in a log book;
11. The licensee will operate the Challenge 25 Scheme by way of training their staff, advertising and record keeping in accordance with the scheme;
12. Staff will be trained about restricted age products and requesting ID before serving alcohol to young persons and be required to confirm their understanding of the policy in place, the applicant will keep a record of all training and instructions to staff;
13. All staff will be regularly monitored to ensure that they are complying with the restrictions on age related products;
14. All refusals to sell to young people will be noted in a designated log book which will be checked and signed monthly by the designated premises supervisor. The log book shall be made available to the police, trading standards of licensing team at their request.
15. Notices will be placed at all exits reminding customers to respect the needs of local residents and to leave the premises quietly;
16. Doors and windows to the premises shall remain closed as far as reasonably practicable although no food is cooked on the premises and the kitchen area is only used for preparation of food so smell is limited;

### **Conditions agreed with the Metropolitan Police**

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.

#### **Conditions agreed with the Noise Service**

18. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties;
19. Bottling out from the premises is prohibited between 23:00 hours and 07:00 hours;
20. No vertical drinking;
21. 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/her meal with the exception of persons in a designated area waiting to be seated;
22. The audio speakers set into the ceiling will be taken out of use;
23. Music shall be restricted to ambient background levels of sound;
24. The rear courtyard shall be closed to customers at 20:00;
25. There shall be no collections of refuse or deliveries of consumables between the hours of 23:00 and 07:00;
26. Refuse shall not be placed out on the street at the end of trading for collection the next morning.

