



AGENDA FOR THE LICENSING SUB COMMITTEE C

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, **2 May 2017 at 6.30 pm.**

Lesley Seary
Chief Executive

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 20 April 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.



A.	Formal matters	Page
-----------	-----------------------	-------------

- | | | |
|----|------------------------------------|--|
| 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 - 6 |

B.	Items for Decision	Page
-----------	---------------------------	-------------

- | | | |
|----|---|-----------|
| 1. | Nomad, 58 Old Street, EC1V 9AJ - Premises licence review | 7 - 168 |
| 2. | Crouch Hill Supermarket, 60 Crouch Hill, N4 4AD - Premises licence review | 169 - 190 |

3. Aya Supermarket, 599 Holloway Road, N19 4DJ - Application for new premises licence 191 - 218

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.

This page is intentionally left blank

London Borough of Islington

Licensing Sub Committee C - 6 March 2017

Minutes of the meeting of the Licensing Sub Committee C held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 6 March 2017 at 6.30 pm.

Present: **Councillors:** Rowena Champion, Asima Shaikh and Flora Williamson,

Councillor Flora Williamson in the Chair

142 INTRODUCTIONS AND PROCEDURE (Item A1)

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

143 APOLOGIES FOR ABSENCE (Item A2)

None.

144 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

145 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

146 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

147 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 17 January 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

148 PIZZA X DRINK, 30 CROUCH HILL, N4 4AU - NEW PREMISES LICENCE (Item B1)

The licensing officer reported that the police conditions had been agreed and they had withdrawn their objection. No planning consent had been granted for Sunday.

The licensing authority reported that noise conditions 15-22 on page 28 of the agenda had been agreed by the applicant. They would not want the premises to be used as a bar or off licence but as a restaurant. If off sales of alcohol were required for delivery they suggested the deletion of proposed condition 14 and an amendment to condition 22 restricting the alcohol order to four 33 cl cans/beers or one 750ml bottle of wine. The licensing authority raised concerns that delivery drivers would need to be trained in underage sales and proposed a further two conditions in relation to this. The licensing authority stated that if all measures were in place the application would be acceptable although they raised concerns that this was the first time of engagement by the applicant.

The noise officer stated that she had concerns about off sales and customers waiting to be served with drinks. She stated that no off sales would be acceptable.

In response to questions it was noted that the applicant accepted all the conditions proposed and that there would be no vertical drinking in the premises. It was accepted that the amended condition 22 did limit the amount of off sales. Regarding concerns about off sales it was stated that the onus was on the applicant to ensure that the delivery company trained staff on underage sales and this should be included in a service level agreement with the delivery company.

The applicant stated that the noise team had agreed the application with conditions. The delivery company had informed the applicant that they would not deliver without an off sales licence. The applicant stated that once the driver had taken the alcohol it was their responsibility. He operated another restaurant in Chiswick. This was a small restaurant and he would like to sell alcohol to customers if a friend was having a meal. The conditions proposed would not allow this and he stated that he may have to come back to Sub-Committee if this did not fit in with his business model. He stated that he accepted the conditions and would work with them. He stated that the business had been trading for over twenty years on a Sunday. He had not yet had a response from Planning regarding the premises opening on a Sunday but he would get the situation rectified.

In response to questions the applicant stated that it was up to the driver from the delivery company to ensure that they did not give alcohol to underage customers. He worked with big companies and was sure that they did checks. He had never had any problems. The applicant was reminded by the Sub-Committee that it was his responsibility to check that the delivery company had good practices. He stated that where customers only wanted a drink but did not want food this could cause customer confrontation and was concerned that his customers would be restricted. He stated that he had managed the business in Chiswick since 2014. He gave the Sub-Committee an indication of the prices he charged for alcohol. He stated that officers were looking at the extreme scenario. He would manage the premises well and had no problems in his Chiswick restaurant. He would have to regularise the planning situation. The Sub-Committee advised the applicant that he should ask the delivery company what checks they would make and could ensure that his contract with the delivery company included checks that were required. Where people ordered online there could be a restriction on the amount of alcohol that could be included with the order for off sales.

In summary the licensing authority raised concerns that the applicant did not consider that the sale of alcohol to underage customers was his responsibility once alcohol had left the premises. He was advised that the sale was made at his premises and it was therefore his responsibility. Unless delivery companies could provide him with this assurance he should not use them.

In response to questions from the Sub-Committee the Licensing Authority stated that they may have to arrange test purchases to police delivery businesses. The licensing authority expected the applicant to have proper procedures in place.

The noise team shared the misgivings regarding off sales.

In summary the applicant stated that if he suspected underage sales at the till he would stop them e.g if there was an order to a school. He asked how Tesco controlled their deliveries of alcohol.

RESOLVED

- 1) That the application for a new premises licence, in respect of Pizza X Drink, Ground Floor, 30 Crouch Hill, N4 4AU be granted to allow:-
 - a) The supply of alcohol, on and off sales from 11am until 11pm Monday to Sunday.
 - b) The premises to be open to the public from 11am until 11pm Monday to Sunday.
- 2) That conditions as detailed on pages 27 and 28 of the agenda shall be applied to the licence with the deletion of condition 14, amendment of condition 22 and an additional two licensing authority conditions as detailed below:-
 - Condition 22. Any off sales shall be limited to re-sealed bottles of wine not wholly consumed by the customers at the time of order and no more than 4 x 33cl beers/ciders or a 750ml bottle of wine to be delivered per main meal.
 - Additional condition. Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18.
 - Additional condition. Any person taking an order for the supply of alcohol on behalf of the premises licence holder will inform all customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram will be required before alcohol is supplied.

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 heard evidence that the conditions proposed by the Noise Team and Police had been agreed.

The Sub-Committee accepted the concerns raised by the Licensing Authority regarding the delivery service and the fact that deliveries would be carried out by sub- contractors.

The Sub-Committee agreed that the additional conditions proposed by the LA were necessary to promote the licensing objectives.

The Sub-Committee accordingly granted the application with the additional conditions.

The Sub-Committee noted that the premises do not have planning permission for Sunday trading. The applicant was informed that planning permission would be required before he could operate the licence on Sundays.

The Sub-Committee advised the applicant to liaise with and seek guidance from the licensing authority on how to implement the additional conditions.

149

PERI PERI CHICKEN, 262 PENTONVILLE, ROAD, N1 9JV - NEW PREMISES LICENCE (Item B2)

The licensing officer reported that this was an application for late night refreshment rather than for the sale of alcohol as detailed in the report at paragraph 1.2. He advised that additional papers were tabled which would be interleaved with the agenda papers.

The police stated that all conditions had been agreed with the applicant but he had not been agreeable to a reduction in hours. The premises was in a cumulative impact zone and from statistics taken from one month there were 19 offences and only one of these had not taken place on a Thursday, Friday, Saturday or Sunday. These offences were related to alcohol and a late night venue would keep people in the area who had been drinking. 50% of criminal offences occurred after 3am. They had asked the applicant to accept reduced hours and had allowed an extension to core hours based on his previous experience. The police would want to see their proposed hours with the conditions proposed.

In response to questions it was noted that most offences took place between 2am and 5am and were mostly alcohol fuelled. The sale of late night refreshment did not help as customers congregated in the area and the premises became a flashpoint. Late night eating venues attracted people who had been out drinking. The police had brought crime data for the area but he was unable to say which venue any problems were attributed to. There were other venues in the area with late hours but they were trying not to add to problems in the area by increasing the number of venues. The police did not consider that the applicant, even with his experience, could manage the premises until 5am. Unlike McDonalds this was a restaurant. McDonalds had door staff and closed seating areas during late hours of operation in order that customers would not stay too long. The police officer stated that he would not agree with a 5am hour as this would add to the cumulative impact. He asked that if the Sub-Committee were minded to grant the licence until 5am that a condition regarding SIA door supervisors be considered. He did not consider that door supervisors were required for the hours he recommended.

The licensing authority was supportive of the police representation and stated that where patrons had been to alcohol venues they then moved to late night refreshment premises. The licensing policy set out clear core hours and the premises was in a cumulative impact area. The onus was on the applicant to persuade the Sub-Committee why they should deviate from the policy, in this case by four or five hours. He considered there was nothing exceptional to this premises. Managing to a high standard was not considered exceptional and this was detailed in the licensing policy. An increase in hours to 2am was recommended but not until 5am where patrons had another three hours to hang around and cause possible disorder. Their recommendation was already an increase in licensing policy core hours.

The applicant informed the Sub-Committee that he had worked in the area at McDonalds for six years and had won lots of awards and gained knowledge during this time. McDonalds was the most difficult place to work and this would be a small restaurant which he considered he had the ability to handle. He did not believe there would be any disorder and staff would be trained. He would train staff and have CCTV. He was the person at McDonalds who had reduced crime.

In response to questions he stated that he was an exception to the policy as he would not add to crime. The premises was not alcohol led. He would have proper training and procedures for staff. He would use his own staff as door supervisors. He stated that crime was in the early evening rather than in the early hours of the morning. He required a 24 hour licence for his survival and he was experienced in conflict resolution and first aid. He wanted a licence until 5am as the weekends were very busy and he did not get many customers before 11pm. The premises would not be too crowded as it was a small café. Customers would be those coming in after drinking. With the introduction of the night tube possible customers would go straight home. He accepted the conditions. He did not think the extra hours proposed by the responsible authorities would do anything for him. The police stated that they were concerned with the safety of the area and reminded the Sub-Committee that the licence went with the premises. The applicant thought that security

would be impossible in such a small restaurant and did not think he could afford SIA door staff. The applicant agreed conditions 16 and 17 proposed by the licensing authority. The licensing authority accepted that the police were the lead authority for crime and disorder and if the police had not asked for door staff, it would be difficult for the licensing authority to insist on this condition. However, the police did state that if the premises was licensed until 5am they would ask that there be a condition about door staff and advised that they would need to be SIA registered.

In summary, the police stated that McDonalds had a lot of support to train staff. The applicant was not in the same position and advised that any door staff would need to be SIA registered. They stated that the applicant would not always be the person running the venue in the early hours. The expectation was that customers at 3am would have been drinking. He had not changed his mind about the hours he had proposed but stated that if the licence was granted until 5am there be a condition imposed about SIA registered door staff. The licensing authority asked that the hours be given as recommended. He was happy to delete the door staff condition unless hours granted were later than 2am on Friday and Saturday.

The applicant stated he would agree to an SIA door supervisor on Fridays and Saturdays if the licence was granted until 5am.

RESOLVED

- 1) That the application for a new premises licence, in respect of Peri Peri Chicken, 262 Pentonville Road, N1 9JY, be granted to allow late night refreshment, on and off the premises from 11pm to 1am Monday to Thursday and from 11pm until 2am on Friday and Saturday and from 11pm until midnight on Sunday.
- 2) That conditions outlined on pages 53 and 53 of the agenda shall be applied to the licence with the deletion of condition 15 and an additional condition as detailed below:-
 - Opening hours to be:- 7am to 1am Monday to Thursday, from 7am until 2am on Friday and Saturday and from 7am until midnight on Sunday.

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 within the Kings Cross 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 hours sought were in excess of the framework hours specified in licensing policy 8.

The Sub-Committee heard evidence from the Police that in the last three months there had been 19 offences in the area around Kings Cross, half of which took place during the night time economy after 2am in the morning. These offences were driven by alcohol.

Licensing Sub Committee C - 6 March 2017

The Licensing Sub-Committee accepted the fact that the offences occurred due to people remaining about outside venues in the early hours of the morning after they have gone out drinking

The Licensing Sub-Committee notes that the applicant agreed to all the proposed conditions from the Police with the exception being the opening hours.

The Licensing Sub-Committee was not satisfied that the applicant had rebutted the presumption that the granting of the licence until 5am would add to the existing cumulative impact.

The Licensing Sub-Committee were of the opinion that granting the application for the premises to trade until 5am, would negatively impact on the promotion of the licensing objectives.

The Licensing Sub-Committee accordingly granted the application with the agreed conditions and the hours recommended by the Police and LA. In addition the Licensing Sub-Committee added the condition that the opening hours of the business are 7am to 1am (Tuesdays to Thursdays), 7am to 2am (Fridays and Saturdays) and 7am to midnight (Sundays).

The meeting ended at 8.35 pm

CHAIR



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	2 May 2017		Bunhill

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

Subject: PREMISES LICENCE REVIEW APPLICATION
RE: NOMAD, 58 OLD STREET, LONDON EC1V 9AJ

1. Synopsis

- 1.1 This is an application by Islington Pollution Team for a Review of the Premises Licence under Section 51 of the Licensing Act 2003. A copy of the review application is attached as Appendix 1.
- 1.2 The grounds for review is related to the following licensing objective:
 - i) The prevention of public nuisance.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	Applicant
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No

London Fire Brigade	No
Local residents	Yes – 27 Residents in support of the review, 1 resident against the review
Other bodies	No

3. Background

3.1 The premises currently holds a licence allowing:

- i) The sale by retail of alcohol on and off supplies Mondays to Thursdays from 09:00 until 03:00 Friday and Saturdays from 09:00 to 05:00 and Sundays from 09:00 to 02:00;
- ii) Regulated entertainment (films, live music, recorded music and performance of dance) Mondays to Thursdays from 09:00 until 03:00 Friday and Saturdays from 09:00 to 05:00 and Sundays from 09:00 to 02:00
- iii) Late night refreshment Mondays to Thursdays from 23:00 until 03:00 Friday and Saturdays from 23:00 to 05:00 and Sundays from 23:00 to 02:00;
- iv) The premises opening hours Mondays to Thursdays from 09:00 until 03:30 Friday and Saturdays from 09:00 to 05:30 and Sundays from 09:00 to 02:30.

3.2 Brief Licensing History:

- This premises licence was granted on 8 December July 2008 and the current premises licence holder became the licensee on 10 June 2010 and the current DPS has been in place since 22 September 2015.
- The licensee attended a Licensing Officer Panel on 30 November 2016 following an unsatisfactory inspection on 19 November 2016 by the Licensing Team.

3.3 Papers are attached as follows:-

- Appendix 1: review form;
- Appendix 2: current premises licence;
- Appendix 3: representations;
- Appendix 4: map of premises location.

4. Planning Implications

4.1 The Planning Service has not submitted any adverse observations.

5 Recommendations

- 5.1 To determine the application to review the premises licence under Section 52 of the Licensing Act.
- 5.2 The Committee must have regard to the application and any relevant representations. The Committee must take such steps as necessary for the promotion of the four licensing objectives.

5.3 The steps stated in Sections 52(4) of the Act are as follows:

- a) to modify the conditions of the licence; and for this purpose the conditions of the licence are modified if any of them are altered, omitted or any new condition is added;
- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premises supervisor;
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence;
- f) the Committee also have the option to leave the licence in its existing state;
- g) the Committee also has the power in relation to steps a) and b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

6 Conclusion and reasons for recommendations

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

Background papers:

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

Final Report Clearance

Signed by


Service Director – Public Protection

Date 15/4/17

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk



Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Anne Brothers on behalf of Pollution Team

(Insert name of applicant)

Apply for the review of a premises licence under Section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Nomad, 58 Old Street,

Post town **London**

Post code (if known) **EC1V 9AJ**

Name of premises licence holder or club holding club premises certificate (if known)

Decco London Limited.

Number of premises licence or club premises certificate (if known)

LN/10579-220915 (Amended)

Part 2 - Applicant details

I am

Please tick ✓yes

- 1) an interested party (please complete (A) or (B) below) ☐
- a) a person living in the vicinity of the premises ☐
- b) a body representing persons living in the vicinity of the premises ☐
- c) a person involved in business in the vicinity of the premises ☐
- d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) ☒
- 3) a member of the club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname

First names

Please tick ✓ yes

I am 18 years old or over

☐

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Anne Brothers Pollution Team 3 rd Floor 222 Upper Street London N1 1XR
Telephone number (if any) 020 7527 3047
E-mail address (optional) anne.brothers@islington.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

This application for review is brought before Committee due to the Licensees repeated and continued non-compliance with licence conditions.

The premises licence has the following noise conditions:

- All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
- The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
- The entertainment noise control system controls are to be kept in a secure, lockable cupboard or similar location. The entertainment noise control system is to be completely independent of control by persons other than the licensee. Access to the entertainment noise control system control is to be restricted to the Licensee or designated manager.
- The maximum noise levels for amplified sound in the GROUND FLOOR, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
93dB	103dB	95dB	93dB

- The maximum noise levels for amplified sound on the FIRST FLOOR, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

- The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months

The premises has been in contravention of the above licence conditions since 2011 – see attached supporting documents.

I attach a copy of the original acoustic report commissioned by previous licensees at the premises. We have not received any details of any further acoustic works that would justify an approval of any increase in volume at Nomad.

There are conditions on the premises licence in relation to dispersal of customers as follows:

- Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly and quickly. Staff and security shall also supervise persons leaving the premises after entertainment has taken place and where necessary, request that persons leaving the premises do so in an orderly manner as quickly as possible.
- The licensee shall employ a dedicated cab company and devise a system for collection of customers that will minimise disturbance to local residents.
- Security staff should stay on for at least an hour after closing time.
- The licensee to use best endeavours to ensure clients wait inside the premises for their

taxis to arrive.

We have been in receipt of complaints in connection with noise from customers outside the premises – see attached supporting documents.

I also attach a copy of an acoustic report dated December 2008. This details a survey undertaken by an independent acoustic consultant to determine sound levels at the premises.

Please provide as much information as possible to support the application (**please read guidance note 2**)

I attach details of calls received in connection with unwanted noise from music noise escape from the premises and noise from customers outside along with a map highlighting the location of the premises and the position of the residents that have called in. Please note: all notes of calls prior to 14/2/16 are brief notes with more detail given for calls over the past 12 months only.

I attach copies of correspondence from me to the licensee requesting recalibration of the sound systems at the premises dating back to January 2011. All letters sent to the licensee requiring recalibration arose from complaints being received regarding unwanted noise from amplified sound at the premises and investigations arising from those complaints.

I did receive a calibration certificate dated 18 January 2011 but it did not comply with our requirements for a calibration certificate which I briefly summarised in an e mail dated to the licensee on 18 January. Copies attached

I attach copies of correspondence between the acoustic consultant and I from 2013, beginning in January and finally ending in June. In my final e mail dated 13 June 2013 I advised they make an application for a variation to the premises licence as the acoustic consultant found fault with the premises licence conditions.

No variation application was received.

On 7 September 2016 I had cause to write to the licensee again requiring a calibration certificate in the light of renewed complaints being received in connection with the escape of loud amplified music from the premises. The final paragraph of the letter sent warned the licensee of possible enforcement action as follows:

"We look forward to your co-operation in this matter but we must warn that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance."

I got no response to the letter sent.

The licensee attended a Licensing Officer Panel on 30 November. The matter of the lack of calibration certification was discussed at the meeting along with other matters and the licensee agreed to send in a calibration certificate "asap".

I wrote to the licensee again on 26 January 2017 referring to my previous letter and requested production of a calibration certificate within 10 working days. I received an e mail from the licensee on 29 January stating the recalibration had been delayed. The reason given was that January was a quiet month. I replied on 30 January explaining we were not requiring a new assessment of sound, just a recalibration to the levels stated on the premises licence which could be done at any time. (The sound levels are assessed and should be limited for when the premises is both full and empty). I requested a calibration certificate on or before 9 February.

At time of writing we have still not received a calibration certificate as required.

The premises is situated in the Bunhill cumulative impact area.

We have received complaints from residents over the years that are located at:

Amias House, 2 Central Street

Anchor House, 92 Old Street

Addresses in Golden Lane/Garrett Street

Addresses in Old Street

Addresses in Baltic Street East and Honduras Street

We have also received anonymous calls in relation to both customer and music noise.

Pollution Team requests that Committee considers the following remedy:

Cutting the hours of operation for licensable activities.

Licensing Policy 8 states the following suggested hours for night clubs in Cumulative Impact Areas

Until 01:00 Sunday to Thursday

Until 02:00 Friday and Saturday

Due to the licensees continued non-compliance with conditions on the premises licence, Committee may be minded to reduce hours further.

The closing time for the premises should be listed as 30 minutes after licensable activities cease.

All existing noise conditions should remain on the premises licence with the following adjustment:

Annex 2 Condition 3

- When alcohol and/or public entertainment is provided by way of music and dancing is provided SIA registered door supervisors will be employed from 9 pm until 1 hour after closing time at the rate of one door supervisor for every one hundred customers.

Pollution team considers that the cutting of hours of operation will go some way to relieve local residents of the noise problems that have been reported over the past few years from this premise.

Please tick ✓ yes

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to this premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☐

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature Anne Brnner
Date 22/2/17
Capacity Principal Technical Officer - Noise Liaison

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

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

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Calls to Noise Service and letters sent in relation to NOMAD, 58 Old Street

Date/Time	Details	Source
2/1/11, 04:20	Loud bass music coming from Nomad night club	Not known
15/1/11, 00:59	Loud music	Amias House, 2 Central Street
18/1/11	E mail sent to licensee	
26/1/11	Noise warning letter sent	
21/4/11	Calibration certificate received on 9/4/11 rejected as it did not comply with requirements	
7/5/11. 01:00	Loud Music	Anchor House, 91 Old Street
12/9/11. 01:15	Complaint received music	Anchor House, 91 Old Street
22/12/11. 00:42	Complaint received music	Garrett Street
6/7/12. 02:50	Loud music	Amias House, 2 Central Street
18/8/12, 03:50	very loud music	Golden Lane
19/8/12. 03:10	Nomad club. Extremely noisy people outside and in cars playing music. Ongoing problem	Golden Lane
16/12/12 23:48	Loud music (above TV level) coming from the 'NoMad' club	Anchor House, 91 Old Street
19/12/12	Noise warning letter sent	
7/1/13, 00:59	Loud music coming from nomads the club, ongoing music until late	Anchor House, 91 Old Street
7/1/13	Noise reminder letter sent	
22/2/13	E mail to licensee	
January – June 2013	E mail correspondence with the acoustic consultant/agent	
3/3/13, 00:15	"Nomad Night Club" Excessive Noise now, They have noisy events far beyond allowed decibel levels a few nights a week and often it lasts till 5 a.m.	Anon
13/4/13, 03:08	Loud music	Old Street
20/7/13, 03:51	very loud bass.	Old Street
12/11/15 E mail to daytime service	the patrons occupy the surrounding area after leaving the club, until around 4am. There are very frequent fights, shouting, loud music from cars. It is immensely disturbing, and makes it impossible for neighbours to sleep in this period. The next morning there is always urine in the streets, and empty liquor bottles everywhere.	Anon
19/11/15	loud, rowdy pprox. r in the street – particularly on	Honduras

Calls to Noise Service and letters sent in relation to NOMAD, 58 Old Street

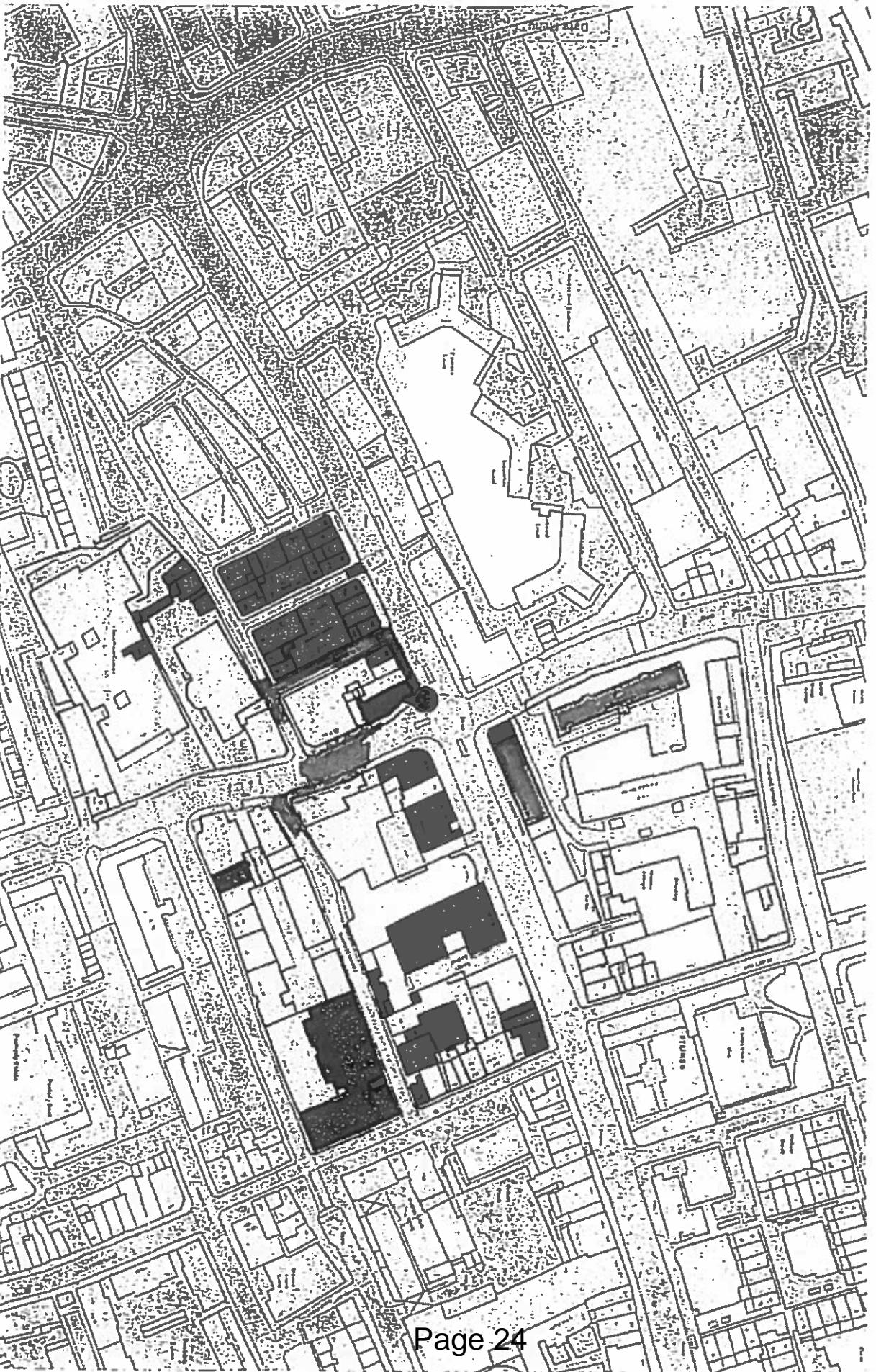
E mail	Honduras Street. Patrons of the club park cars on the street and then come back to their cars late at night, blast music loudly and often have fights. Patrons also loiter on Honduras Street, speaking loudly, urinate in the street, smoke and leave the street and doorsteps littered with bottles..	Street
29/11/15, 00:20	Patrons from Nomad club (on the corner of Old Street and Central street) were loitering, being rowdy, yelling and drinking on Honduras Street at 6am this morning. The key problem is patrons leaving the club and urinating in the street, yelling, drinking, etc once they leave the club. Patrons often tend to loiter on Honduras street and sit on the steps on REDACTED.	Honduras Street
22/12/15 E mail	Large groups of people drinking and meeting up on the street directly underneath my property and on the side roads surrounding it..... The next morning, I often have to clear bottles and rubbish from my doorstep.	Old Street
14/2/16 E mail	<p>As now happens every weekend night (Friday and Saturday nights), patrons of the Nomad club on Old Street move to Honduras Street when the club closes, and proceed to drink, shout, fight and play loud music from 3.00am onwards.</p> <p>Friday night there was a loud group of people playing music and shouting at 4am – one of them had a armband identifying him as a security guard.</p> <p>Saturday night there was a fight – a man shoving and shouting at a lady - , broken bottles, music, street urination and shouting from a large group, from 4.45am-5.15am.</p> <p>This wakes up all the neighbours, children included. The situation is recurrent and absolutely unsustainable. We urge Islington council to do something about this (e.g., patrolling, removing parking permission at weekend nights – people congregate around their cars – or issuing a warning or license cancellation to Nomad). This is making the situation unlivable on weekend nights for neighbours on Honduras Street.</p>	Honduras Street
21/2/16, 02:53	Large group of people congregating on Honduras Street making loud noise. This happens every weekend night. These large group of people seem to come out of a club nearby. Comp mentioned it is very difficult to sleep and the whole neighbourhood is disturbed	Honduras Street
19/3/16 04:15	Patrons from Nomad night club fill Honduras Street after close, drinking, shouting. Impossible to sleep. Recurring situation, something must be done to tackle this.	Honduras Street
11/6/16, 03:36	Loud noise coming from NOMAD Night Club. This has been an issue for some time now. According to comp, he has been advised by an officer to take photos/videos to support his complaints. The noise goes on till 6am	Old Street
11/6/16, 05:13	Every weekend The Bar over the road allows punter to be excessive loud, litter and even defecate on our estate, I my have worked as a door supervisor and I know how hard it	Anchor House, 91 Old Street

Calls to Noise Service and letters sent in relation to NOMAD, 58 Old Street

	can be but the door staff do not even attempt to control the issue	
15/7/16, 00:08	Group who I think are from Nomad the club keeping me awake	Baltic street near timber street
23/7/16, 00:23	Hello, I already sent an email yesterday, but didn't leave my phone number. I just moved to Honduras street – there is a disco/club on Golden Lane and we always have people coming to our street to smoke/talk/drink, which makes a lot of noise. Moreover, very often, groups of people reunite there, staying in their cars with music, smoking (and not only cigarets) and I am not sure but might be selling/buying other substances. I always hear a lot of noise and don't feel very comfortable at night. I let my phone number. Please do contact me if any questions, but it would be great if there could be a bit of control there... Thank you	Honduras Street
3/9/16, 23:56	Significant level of music noise coming from Nomad nightclub located on the corner of golden lane & old street. The music is very loud & can be heard inside my flat (REDACTED) at 11.50pm on Saturday evening (3/9/16). It's not just noise, I can identify the bass & treble sounds! On Friday eve (2/9/16) – there was significant music noise also. Later at pprox. 2am a large group (pprox. 25) people left the club and proceeded to remain outside the club on golden lane, talking loudly, sounding car horns	Golden Lane/Garrett Street
7/9/16	Noise warning letter sent	
22-26/9/16	E mail correspondence with the acoustic consultant/agent	
19/11/16, 04:12	a resident is reporting loud music and shouting from the nomad pub, I can hear noise and argument as we speak. This goes on a regular basis	Old Street
20/11/16, 05:02	Playing loud music complainant states that they do not have a license to play music this late.	Anchor House 91 Old Street
17/12/16, 00:06	I live in REDACTED : at the corner of old street and golden lane – there is a night club: Nomad Club We have at any time of the night, on Fridays and Saturdays (sometimes Thursdays too) people 1. Drinking in the street 2. Peeing/ even pooping on our door 3. Screaming/Shouting/Fighting 4. Smoking (not only cigarets) 5. Parking everywhere and we can t circulate It is very very disturbing, as it is at night, and usually, the most noise is at 3-4 am, when the club closes... Please, can you do something about the night club?	Honduras Street
16/1/17 E mail to daytime service	Every time they hold events, the crowd is always making allot of noise. When leaving. There people always in and out of the club, exchanging things	Anon
24/1/17 E mail to daytime service	On some Thursdays, Fridays and Saturdays. The crowd that they have coming to the venue is always making allot of noise, drinking outside the venue and the music is turned all the ways up to the point you can hear it from the other side of the road.	Anon
26/1/17	Noise reminder letter sent	
29/1/17,	loud music, drinking outside the nightclub	Not known

Calls to Noise Service and letters sent in relation to NOMAD, 58 Old Street

00:35		
29-30/1/17	E mail correspondence with the licensee.	



From: Brothers, Anne

Sent: 18 January 2011 10:48

To:

Cc: Norris, Louise

Subject: Sound levels at Nomad, 16 January

Dear Steve,

As promised, please find attached a document with a table listing the levels measured and the maximum levels permitted by the premises licence on Saturday night on the ground floor.

The first floor was not in use at the time of the visit.

As discussed, there is a licence condition as follows:

"The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months."

I have checked the file and cannot find a calibration certificate. You said your sound engineer was visiting today and has a sound level meter therefore s/he could produce a calibration certificate.

A calibration certificate should quote the licence levels and the maximum levels the sound system can achieve after recalibration. The measurement point(s)/mode should also be quoted along with the component details of the sound system. A floor plan showing the locations of the speakers and the measurement point/mode should also be included along with the model/make details and serial numbers of the limiter and amplifiers in use. If any components of the sound system are changed or if the speakers are moved, the system should be recalibrated to certify the maximum sound levels as quoted on the premises licence will not be exceeded. A new calibration certificate should be issued each time the system is recalibrated.

I will write to the Licensees regarding noise issues and will copy Maria as DPS and you into any letter I send.

If you have any queries, please contact me at the office below.

Regards,

Anne Brothers

Principal Technical Officer

Noise Patrol

Public Protection

Islington Council



ISLINGTON

Noise Patrol
Public Protection Division
222 Upper Street
London N1 1XR

Decco London Limited
8A Cranbrook Row
Ilford
Essex
IG1 4DJ

T 020 7527 3047
F 020 7527 3059
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

This matter is being dealt with by:
Anne Brothers

Our ref: abr/1014938
Your ref:

Date: 26 January, 2011

Dear Sir

ALLEGED NOISE NUISANCE FROM AMPLIFIED MUSIC, NOMAD, 58 OLD STREET, LONDON, EC1V 9AJ . ENVIRONMENTAL PROTECTION ACT 1990, LICENSING ACT 2003.

There are noise conditions on the premises licence in relation to noise control of music and customer noise outside for Nomad at 58 Old Street as follows:

- All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
- The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
- The entertainment noise control system controls are to be kept in a secure, lockable cupboard or similar location. The entertainment noise control system is to be completely independent of control by persons other than the licensee. Access to the entertainment noise control system control is to be restricted to the Licensee or designated manager.
- The premises shall adopt a policy where the door supervisors ensure that the inner door is shut before the outer one is opened. This means that main doors are kept closed (not held open by doormen) to avoid outbreak when inner doors opened to dance floor areas.
- Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly and quickly. Staff and security shall also supervise persons leaving the premises after entertainment has taken place and where necessary, request that persons leaving the premises do so in an orderly manner as quickly as possible.
- The maximum noise levels for amplified sound in the basement, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

• LAeq(1min)	• Leq(1min)	• Leq(1min) at 63Hz	• Leq(1min) at 125Hz
• 93dB	• 103dB	• 95dB	• 93dB



CUSTOMER SERVICE CHALLENGE

- The maximum noise levels for amplified sound on the raised ground floor, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

• LAeq(1min)	• Leq(1min)	• Leq(1min) at 63Hz	• Leq(1min) at 125Hz
• 89dB	• 98dB	• 92dB	• 89dB

- The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months.
- There shall be no drinking allowed outside the venue.
- Security staff to organise people queuing outside to minimise noise and any disturbances.
- Double exit doors to be kept closed at all times including times of hot weather.
- Security staff should stay on for at least an hour after closing time.
- The licensee to use best endeavours to ensure clients wait inside the premises for their taxis to arrive.
- There be a notice displayed, viewable from the outside of the premises, with a management contact telephone number in case of residents concerns.
- There shall be signs displayed on the premises reminding clients to leave quietly.

I regret to inform you we are in receipt of calls from local residents in relation to noise from the premises. I visited in the early hours of 16 November to measure sound levels inside the premises. The measurements taken were as follows:

Ground Floor only

Ref	Linear	"A"	125 Hz	63 Hz
1	109.6	91.8	94.7	109.4
2	109.9	92.3	94.0	109.6
3	112.1	92.3	96.2	111.9
5	107.7	92.3	96.2	106.3
6	107.6	93.0	95.7	106.4
7	109.6	92.3	95.1	109.3
Licence max.	103	93	93	95

Levels were not measured on the first floor as no music was playing out at the time of the visit.

At the time of the visit I met Steve Burkes who informed me he was a co-owner of the business along with another co-owner whose name I did not note.

There appeared to be some confusion over door control as everyone was under the impression the outer leafs of the lobby doors fronting Old Street had to be locked in the open position. I explained this is not the case and pointed out the relevant conditions on the premises licence. The doors open in the direction of pedestrian traffic should there be any reason to evacuate the premises, therefore they can be kept shut. There was a significant reduction in the outbreak of sound.

In addition, you will note the sound levels above are significantly in excess of the maximums permitted by the premises licence. Steve Burkes requested I forward on the levels measured to him and the DPS Maria the following week which I did on the Tuesday after my visit. It was emphasised that it was important I forward the measurements on by the Tuesday as a sound engineer was due to visit that day and they could recalibrate the limiter and produce the required calibration certificate

X

I have heard from Maria today but have not received confirmation the limiters have been recalibrated so as not to exceed the maximum levels quoted on the premises licence. I replied to Maria and Steve and copied their acoustic consultant, Richard Vivian to the e mail sent. I understand Richard Vivian is being consulted to undertake a new survey with a view to making an application to increase sound levels at the premises.

I have to make clear the first priority is to ensure the limiters are recalibrated without any further delay. Please send us a copy of the calibration certificates once this has been carried out which should be at the first opportunity in order to reduce the likelihood of further allegations of noise nuisance from the premises.

We look forward to your co-operation in this matter but we must warn that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance

Yours faithfully

Anne Brothers
Principal Technical Officer
cc. Maria A E Troger, DPS,
Steve Burkes via e mail: _____
Maria Troger via e mail: _____
Louise Norris, Noise Patrol Manager
Licensing

To: Anne.Brothers@islington.gov.uk

Sent: Thu, 17 February, 2011 14:24:03

Subject: Music Limiter certificate for NOMAD London

For the Attention of Anne Brothers,

Please find attached a copy of the Music Limiter certificate for NOMAD London. I hope this reaches you in time and that it satisfies the councils requirements. If there is anything else I can help with please feel free contact me at this address

Kind regards

Thom Hollands

From: Thomas Hollands [mailto:thom.hollands@islington.gov.uk]

Sent: 09 April 2011 14:24

To: Brothers, Anne

Subject: Music Limiter certificate for NOMAD London

Hi Anne. the limiter certificate as promised! lets hope this one gets to you

Cheers

Thom Hollands

Sound engineer/Tour manager

From: Brothers, Anne

Sent: 21 April 2011 13:26

To: 'Thomas Hollands'

Cc:

Subject: RE: Music Limiter certificate for NOMAD London

Dear Thom

Sorry but the calibration certificate does not match the levels specified on the premises licence which are as follows:

The maximum noise levels for amplified sound in the basement, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

L_{Aeq}(1min) L_{eq}(1min) L_{eq}(1min) at 63Hz L_{eq}(1min) at 125Hz

93dB 103dB 95dB 93dB

20. The maximum noise levels for amplified sound on the raised ground floor, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

You have given "A" weighted 5 minute measurements only which I do not think is alright here, therefore the calibration certificate is rejected.

Anne Brothers

Principal Technical Officer

Noise Patrol

From: Thom [mailto:

Sent: 21 April 2011 13:46

To: Brothers, Anne

Subject: Re: Music Limiter certificate for NOMAD London

Ok Anne i will have a look.

Kind regards

Thom Hollands

Sound engineer/Tour manager

Certificate for music limit at NOMAD, 58 Old Street

Thom Hollands, Viba Sound Ltd

Date: 18/01/2011
Name of premises: Nomad
Address of premises: 58 Old Street, Shoreditch, London, EC1V 9AJ
Management details:
Type of music noise limiter: BSS Soundweb 9088ii
Location of device: Locked in basement.

Description of Music System:

Two independent DJ systems on two separate floors are fully controlled and Limited by the Soundweb 9088ii, providing, system eq, compression and limiting for both sound systems installed in the club. BSS Soundweb is inherently secure by design. A user would have to possess the original up-to-date Soundweb Designer file to gain access to the settings. Viba Sound Ltd posses the only copy of this program.

Upstairs system;

4 x Nexo PS8	1 x MT amplifier
2 x Nexo LS500	1 x Allen and Heath X-Zone 6:2
2 x TOA 50w speakers	1 x FBT active DJ monitor
1 x Nexo PS8 Controller (PS8)	2 x Pioneer CDJ1000
1 x Nexo PS15 Controller (PS15)	2 x Technics 1210
2 x QSC 2450	

Downstairs System;

4 x MT 8 full range loudspeaker
1 x TOA 50w speakers
2 x Nexo LS400
2 x QSC 2450
1 x Pioneer DJM500
2 x Pioneer CDJ1000
2 x Technics 1210

All speakers in the club have been mechanically isolated from the building structure to reduce noise transmission to the outside of the building.

- All speakers have been mounted/suspended using rubber isolation inserts and straps to reduce vibration transmission into the building structure.
- The bass bins on this floor are mounted on soft neoprene-rubber W-pads (Masons)

The Systems have been setup as per the stipulated sound levels quoted in the Licence.

Location	LAeq, 5 min
Ground Floor	93dBA
Basement	89dBA

Note: These readings were measured from multiple locations around the two floors and averaged.

The sound limit on both floors is maintained by using overall compression of the DJ inputs and separate compressor/Limiters between Mid/High and bass speakers with the aim to limit the overall level and to minimise acoustic transmission of noise through the structure of the building. The frequencies 200Hz and 400Hz are prominent within the structure of the building, and a parametric eq has been inserted to remove these frequencies.



ISLINGTON

Public Protection Division
222 Upper Street
London N1 1XR

T 020 7527 3047
F 020 7527 3057
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

Our ref: WK/121369808
Your ref:

Date: 19 December 2012

Decco Limited
8A Cranbrook Row
Ilford
Essex
IG1 4DJ

This matter is being dealt with by:
Anne Brothers

Dear Sir/Madam

ENVIRONMENTAL PROTECTION ACT 1990, LICENSING ACT 2003
PREMISES: NOMAD CLUB, 58 OLD STREET, ISLINGTON, LONDON, EC1V 9AJ

I am writing following a visit to the above premises to investigate a noise complaint. I visited the premises in the early hours of December 16 at 00:15 and again at 01:50.

We were called by a local resident who alleged noise nuisance from the playing of loud music at the premises. On approach I noted that I could hear the music from Nomad from some considerable distance away.

There are noise conditions on the premises licence for Nomad as follows:

- All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
- The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
- The maximum noise levels for amplified sound in the basement, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
93dB	103dB	95dB	93dB

- The maximum noise levels for amplified sound on the raised ground floor, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

- The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months.

The most recent calibration certificate that I can find on file is dated January 2011 and there is a note that calibration certificate was rejected as inadequate.

During the visit on 16 December I spoke to Steve Burkes at the premises and I measured sound levels on both the ground and first floors using a spatial sweep as follows:

Table 1

Ref GF	Linear	"A"	125 Hz	63 Hz
1	112.5	102.4	98.2	111.6
2	108.8	100.8	99.7	106.6
3	113.4	101.2	97.8	112.7
4	108.1	100.3	98.3	106.0
5	106.3	101.0	97.5	102.0
Licence levels	103	93	93	95

Table 2

Ref 1F	Linear	"A"	125 Hz	63 Hz
7	108.8	97.5	104.4	105.6
8	110.9	99.9	104.3	109.0
9	109.5	96.5	103.1	107.6
Licence levels	98	89	89	92

I discussed the excess volume measured on both floors with Steve Burkes and he reduced the volume and I measured again on the ground floor as follows:

Table 3

Ref again	GF	Linear	"A"	125 Hz	63 Hz
11		102.3	94.1	89.3	100.3
Licence levels		103	93	93	95

We agreed the second set of measurements on the ground floor in Table 3 above were more in line with the levels agreed and quoted on the premises licence and I agreed to leave it at that for the night. I told Steve Burkes he should contact your acoustic consultant and he should produce a calibration certificate to certify that the sound levels quoted on the premises licence will not be exceeded. Steve Burkes agreed to contact the acoustic consultant the following day and copy me to the correspondence so I may inform the acoustic consultant of the excess levels measured. I have not received any e mail from Steve Burkes.

We were called back to the premises later and I re-visited at 01:50. Again, the music noise could be heard from some distance away and it was clear the volume had been increased again. I spoke to Steve Burkes again outside the premises and requested the levels be reduced.

Please inform me within the next 7 working days of what action you propose to take in order to prevent public nuisance from the premises. As discussed with Steve Burkes on the night as the sound levels measured were significantly in excess of the maximum music volumes quoted on the premises licence we expect you to immediately commission a recalibration of the sound systems in use at the premises and produce a calibration certificate from your accredited acoustic consultant.

A calibration certificate should include the following details:

- Date of calibration.
- Make and model of the limiter installed.
- Make and model of amplifier/sound distribution system.
- Serial number of the limiter.
- Location of the limiter and floor plan showing location of speakers.
- Specified maximum sound levels with one minute Leqs at the Linear, "A" weighted, 63 and 125 Hz frequencies.
- Details of the measurement point.
- Details of the security arrangements for the limiter and other components.
- Details of the sound level meter used during recalibration.
- Calibration details for the sound level meter used.
- Name and contact details of acoustician.

If the noise is witnessed again and the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000.

In addition to the above action, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance. In the meantime and until the limiters are recalibrated we expect you to operate at reduced sound levels.

If you have any queries regarding this matter, please contact me at the above office

Yours sincerely

Anne Brothers

Anne Brothers

PRINCIPAL TECHNICAL OFFICER - NOISE LIAISON

cc Louise Norris, Noise Patrol Manager
Licensing
Robert H L Harrod-Green, DPS,
Steve Burkes via e mail: ;



ISLINGTON

Decco Limited
8A Cranbrook Row
Ilford
Essex
IG1 4DJ

Noise Patrol Team
222 Upper Street
London N1 1XR

T 020 7527 3047
F 020 7527 3059
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

Our ref: abr/121369808
Your ref:

This matter is being dealt with by:
Anne Brothers

Date: 7 January 2013

Dear Sir

ALLEGED NOISE NUISANCE, NOMAD, 58 OLD STREET, EC1V 9AJ. ENVIRONMENTAL PROTECTION ACT 1990, LICENSING ACT 2003

I refer you to my letter sent on 19 December 2012. I enclose a copy of the letter for your ease of reference. To date I have not received a reply.

Please respond upon receipt of this reminder.

I have to warn you that if I do not hear from you I may serve a Section 80 noise abatement notice under the provisions of the Environmental Protection Act 1990 on grounds that I am satisfied of the likelihood of a noise nuisance.

In the continued absence of the requested calibration certificate we may also consider making an application for a review of the premises licence. Both courses of action could have serious implications for your business.

Yours sincerely,

Anne Brothers
Principal Technical Officer
cc. Louise Norris, Noise Patrol Manager
Licensing
Robert H L Harrod-Green, DPS,
Steve Burkes via e mail:

E mail to licensee requiring recalibration of sound systems.

From: Brothers, Anne

Sent: 22 February 2013 19:09

To:

Cc: Norris, Louise

Subject: Sound levels at Nomad

Dear Mr Burkes

I have still not received the requested calibration certificates from your acoustic consultant further to my letter of last December and reminder letter sent in January. I attach a copy of the letter for your ease of reference.

Please arrange for the sound system to be recalibrated as soon as possible if you have not already done so. Please send me a copy of the calibration certificates for the file here.

I have had some correspondence from your acoustic consultant in relation to this matter but I have to state the sound levels quoted in the letter are the sound levels that are quoted on the licence as a noise condition of the licence. Therefore, the levels were assessed and agreed as being less likely to cause a noise nuisance to neighbours. The sound levels that I measured in December were significantly in excess of the permitted maximum levels, therefore they are likely to be causing noise disturbance to neighbours when played out at such high volume.

I look forward to receiving copies of the calibration certificates as soon as possible.

Anne Brothers

Principal Technical Officer

Noise Patrol

Public Protection

Correspondence with acoustic consultant 2013

From: Richard Vivian [mailto: - -

Sent: 15 January 2013 15:01

To: Brothers, Anne

Cc:

Subject: Nomad, 58 Old Street

Dear Anne

I hope you are well. I believe we last corresponded with regard to Nomad in June 2011.

It would appear that the premises have operated for a respectable period without complaint. However I understand you have received a complaint from a resident which you investigated on December 16th last year. My client is concerned about this complaint and wishes to take effective action to ensure that this resident is not disturbed. However my client advises me that the operation at Nomad has been the same for a considerable time with no changes to the sound system or building layout that would give rise to a new complaint last month. Therefore it is important we investigate this in order to fully understand the nature of the complaint.

It would greatly assist me if you could describe the nature of the nuisance you witnessed. Whilst I fully respect the confidentiality of the complainant at this stage of the investigation it would be helpful if you could indicate the approximate distance of the complainants property from the licensed premises and the nature of the noise witnessed.

I look forward to hearing from you.

Best regards

Richard Vivian

Principal Consultant, Big Sky Acoustics

office: -

mobile:

. . .

www.bigskyacoustics.co.uk

From: Brothers, Anne [mailto:Anne.Brothers@islington.gov.uk]

Sent: 15 January 2013 15:17

To:

Cc: Norris, Louise

Subject: RE: Nomad, 58 Old Street

Dear Mr Vivian

In a nutshell, the sound levels measured on the night I visited (using a spatial sweep) were vastly in excess of the maximums permitted on the premises licence.

They have been instructed to get their limiters recalibrated so as not to exceed the maximums.

They have all the details in 2 letters that I have sent them subsequent to the visit.

Anne Brothers

Principal Technical Officer

Noise Patrol

From: Richard Vivian [mailto:

Sent: 15 January 2013 15:27

To: Brothers, Anne

Cc: Norris, Louise;

Subject: RE: Nomad, 58 Old Street

Dear Anne

I have seen your letter titled "Environmental Protection Act 1990" and so I have made the reasonable assumption that you are acting on evidence of a statutory nuisance. If this is so please confirm the nature of the statutory nuisance so my client wishes may quickly address any issue of noise that may be causing a nuisance to residents.

Best regards

Richard Vivian

Principal Consultant, Big Sky Acoustics

From: Brothers, Anne [mailto:Anne.Brothers@islington.gov.uk]

Sent: 15 January 2013 15:38

To:

Cc: Norris, Louise;

Subject: RE: Nomad, 58 Old Street

Dear Mr Vivian

The letter was also headed Licensing Act 2003. The licence conditions regarding maximum sound levels are clearly specified and should be adhered to.

If you want to vary the levels specified or other noise conditions on the premises licence, please advise your client to contact licensing as they will need a variation/minor variation.

In addition, there is a requirement for a calibration certificate on an annual basis.

Anne Brothers

Principal Technical Officer

Noise Patrol

From: Richard Vivian [mailto:

Sent: 15 January 2013 16:01

To: Brothers, Anne

Cc: Norris, Louise;

Subject: RE: Nomad, 58 Old Street

Dear Anne

I need some clarity please so that we are not wasting each others time. Did you witness a statutory nuisance?

Best regards

Richard Vivian

Principal Consultant, Big Sky Acoustics

From: Brothers, Anne

Sent: 16 January 2013 13:42

To:

Subject: RE: Nomad, 58 Old Street

I witnessed potential public nuisance. Music noise from the premises was clearly audible from a considerable distance away.

Anne Brothers

Principal Technical Officer

Noise Patrol

From: Richard Vivian [mailto:

Sent: 16 January 2013 18:16

To: Brothers, Anne

Cc: Norris, Louise;

Subject: RE: Nomad, 58 Old Street

Dear Anne

If you could provide me with details of the location you made your observations from I can use this as a reference point for our own observations, measurement and predictions.

Just so I have absolute clarity can you confirm if you have witnessed noise from within a residential property? It is a priority for the operation of the club that residents are not disturbed and I know Steve Burke has worked closely with residents to ensure noise levels are controlled. Therefore if you have made observations from within a residential property in response to a complaint (rather than from the street outside) then please do let me know.

Best regards

Richard Vivian

Principal Consultant, Big Sky Acoustics

From: Brothers, Anne

Sent: 22 February 2013 19:09

To:

Cc: Norris, Louise

Subject: Sound levels at Nomad

Dear Mr Burkes

I have still not received the requested calibration certificates from your acoustic consultant further to my letter of last December and reminder letter sent in January. I attach a copy of the letter for your ease of reference.

Please arrange for the sound system to be recalibrated as soon as possible if you have not already done so. Please send me a copy of the calibration certificates for the file here.

I have had some correspondence from your acoustic consultant in relation to this matter but I have to state the sound levels quoted in the letter are the sound levels that are quoted on the licence as a noise condition of the licence. Therefore, the levels were assessed and agreed as being less likely to cause a noise nuisance to neighbours. The sound levels that I measured in December were significantly in excess of the permitted maximum levels, therefore they are likely to be causing noise disturbance to neighbours when played out at such high volume.

I look forward to receiving copies of the calibration certificates as soon as possible.

Anne Brothers

Principal Technical Officer

Noise Patrol

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

From: Microsoft Outlook

From: Brothers, Anne

Sent: 18 March 2013 13:12

To:

Subject: RE: Sound levels at Nomad

Dear Mr Vivian

I e mailed Steve Burkes about this on 22 February but to date I have not received any reply.

If you are representing the licensees. Please can they send me an e mail to that effect.

Anne Brothers

Principal Technical Officer

Noise Patrol

From: **n Behalf Of**

Sent: 18 March 2013 15:41

To: Brothers, Anne

Cc: Richard Vivian

Subject: confirmation of engagement

Dear Anne, please accept this email as confirmation that Richard Vivian of BIG SKY ACOUSTICS is acting for, and on behalf of DECCO (London) Ltd. (T/A NOMAD CLUB LONDON.) 58, Old St., London, EC1V 9AJ. Should you require anything further, please contact me. Kind regards, Steve Burkes (MD)

From: Brothers, Anne

Sent: 18 March 2013 16:13

To:

Cc: Richard Vivian; Norris, Louise

Subject: RE: confirmation of engagement

We are now in receipt of multiple complaints alleging noise nuisance from Nomad.

Please arrange to have the sound system recalibrated as soon as possible.

Please see e mail below sent to Steve Burkes in February to which I have not had any reply.

It is in the interests of the premises to comply with the noise conditions on the premises licence and to abide by sound levels that were agreed.

We look forward to your co-operation in this matter but we must warn that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance

Anne Brothers

Principal Technical Officer

Noise Patrol

From: Richard Vivian [mailto:]

Sent: 18 March 2013 16:36

To: Brothers, Anne;

Cc: Norris, Louise

Subject: RE: confirmation of engagement

Dear Anne

As per my email of a few minutes ago please provide details of the location of the complaints and any noise that you or your colleagues have witnessed and I will arrange for an immediate investigation.

Best regards

Richard Vivian

Principal Consultant, Big Sky Acoustics

From: Brothers, Anne

Sent: 18 March 2013 17:05

To:

Cc: Norris, Louise

Subject: RE: confirmation of engagement

Residents are reporting noise from the estate across the road in Old Street and from behind the premises.

You should recalibrate the sound systems to the levels that are quoted on the premises licence without delay.

Anne Brothers

Principal Technical Officer

From: Richard Vivian [mailto:

Sent: 19 March 2013 09:16

To: Brothers, Anne

Cc: Norris, Louise;

Subject: Allegation of noise nuisance from 58 Old Street EC1V

Dear Anne

If there have been complaints about noise from the premises then it is important to make an assessment of the noise levels from the receive position, i.e. the precise location of the complaints. If you have not already carried out such an investigation yourself then I suggest it would be beneficial to the residents if we carry out the assessment together.

Please can you contact the complainants and ask them to provide dates and times when access to their properties is possible? I will do my very best to accommodate any dates you propose so that this matter can be quickly resolved.

Best regards

Richard Vivian

From: Brothers, Anne

Sent: 19 March 2013 13:38

To:

Cc: Norris, Louise;

Subject: RE: Allegation of noise nuisance from 58 Old Street EC1V

Dear Mr Vivian

There are maximum music levels quoted on the premises licence. These levels were agreed some time ago as a result of a survey and investigation works then.

There is no reason to justify a new assessment of sound at the premises. The sound systems should be recalibrated so the volume generated does not exceed the maximum levels quoted.

After the sound systems have been recalibrated, should complaints still be received and verified by authorised officers, we may then move to more detailed work on the issue.

Please recalibrate the sound systems and send me a copy of the calibration certificate.

Anne Brothers

Principal Technical Officer

Noise Patrol

Public Protection

From: Richard Vivian [mailto:

Sent: 19 March 2013 14:10

To: Brothers, Anne

Cc: Norris, Louise;

Subject: RE: Allegation of noise nuisance from 58 Old Street EC1V

Dear Anne

You are going round in circles here!

We have previously discussed this at great length across numerous email exchanges. I will forward you an email from June 2011 which summarises the problem but note that you did not reply to it at the time.

Best regards

From: Richard Vivian [mailto:richard.vivian@usda.gov]

To: Brothers, Anne

Cc: Norris, Louise; s

Subject: FW: 58 Old Street

Dear Anne

My email from June 2011 outlines the problem with the conditions on the PL. The only sensible solution is to re-evaluate the operating levels based on the current layout of the premises. Referring to these erroneous conditions is a waste of everyone's time and my client's money. I hope you agree and are able to work to resolve this issue with me.

Best regards

Richard Vivian

From: Brothers, Anne

Sent: 19 March 2013 15:13

To: Mr. J. Edgar Hoover

Cc: Norris, Louise:

Subject: RE: 58 Old Street

Dear Mr Vivian

With regard to the testing you mention in your e mail dated June last year, please inform us of the levels that you considered to be acceptable.

In addition, please inform us of the adjacent address that you visited in order to come to your conclusions.

Anne Brothers

Principal Technical Officer

Noise Patrol

From: Richard Vivian [mailto:

Sent: 20 March 2013 15:01

To: Brothers, Anne

Cc: Norris, Louise;

Subject: RE: 58 Old Street

Hi Anne

Yes, that is absolutely no problem sharing those data with you. It is from some time ago so I will need to access it from our archive. It should be with you by tomorrow or Friday at the latest.

The assessment was made from the adjoining steel frame building on Golden Lane. I will need to check my records for the precise address but remember the residents names as Rose & Tina.

Best regards

Richard Vivian

Principal Consultant, Big Sky Acoustics Ltd

From: Richard Vivian [mailto:

Sent: 25 March 2013 11:00

To: Brothers, Anne

Cc: Norris, Louise;

Subject: RE: 58 Old Street - internal noise levels

Dear Anne

The internal noise levels assessed on 11th April 2011 and found to be acceptable within the adjoining residential property at 125 Golden Lane were:

	L _{Aeq}	L _{Zeq}	L _{Eq} , 63Hz	L _{Eq} , 125Hz
Measured on ground floor	93	108	107	98
Measured on first floor	94	110	108	99

Since this date significant additional sound insulation works have been carried out at the premises.

I suggest the most prudent course of action is to re-evaluate the system from the residential properties where complaints are occurring.

Best regards

Richard Vivian

From: Brothers, Anne

Sent: 12 April 2013 18:45

To:

Cc: Norris, Louise; ; Griffiths, Aled

Subject: RE: 58 Old Street - internal noise levels

Dear Mr Vivian

I apologise for the delay in replying to this. I have been away from my desk recently.

There are clear noise conditions on the premises licence as follows:

14. All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.

15. The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.

This means that the sound levels should not have been altered by you.

The licensees are in danger of enforcement action due to this issue.

You have suggested that the wording of the premises licence has muddled the waters in that Conditions 19 and 20 refer to the "basement" and the "raised ground floor". I have discussed this with my colleagues in Licensing and it is clear to them that this was a typing error by the licensing officer that processed the licence. Further, the basement levels obviously refer to the ground floor and the raised ground floor levels refer to the first floor.

This is a simple administrative error that can be changed.

The sound levels are quoted on the premises licence and I can see from the figures you quote that you have increased the sound levels quite significantly.

We have to urge the licensees to take our advice and recalibrate the sound systems back to the levels quoted on the premises licence without delay. I would suggest a reasonable time limit for this would be 2 weeks from the date of this e mail notification. In the meantime I must advise the licensees to be mindful of sound levels and not play out the sound system to the full volume that you have adjusted it to.

If they want an increase in sound levels they should make an application for a variation to the premises licence as a minor variation application would attract a representation from the Noise Team due to complaints received from local residents about music noise issues from the premises and a full variation would be required. Should they decide to make an application for a full variation, it is most likely that they will be asked to provide evidence of any additional sound insulation they have installed since they took over that could justify any increase in sound levels.

Anne Brothers

Noise Liaison Officer

Noise Team

Public Protection

Islington Council

From: Brothers, Anne

Sent: 09 May 2013 11:46

To:

1

Cc: Griffiths, Aled; Norris, Louise; Tomashevski, Kathleen

Subject: Nomad, 58 Old Street

Dear Mr Vivian and Mr Burkes

I refer to my e mail dated 12 April to which I have had no reply.

I have copied the e mail below for your ease of reference.

Please inform us of your intentions regarding this matter without further delay.

Anne Brothers

Noise Liaison Officer

From: Richard Vivian [mailto:]

Sent: 04 June 2013 12:57

To: Brothers, Anne

Cc: Norris, Louise; Gareth Hughes; Gemma Stevens; Griffiths, Aled

Subject: Re: 58 Old Street - internal noise levels

Dear Anne

I have now had an opportunity to meet with my client at the premises and discuss your email. I propose that we schedule a meeting to discuss a sensible way forward.

Clearly the wording of the condition is erroneous; as you say it is a typing error. But this error is further compounded by the fact that the quoted noise levels were copied from a report that was not intended for the purpose of setting limiters, and refers to the premises in 2008 under different management, with a different sound system, different layout and considerably different sound insulation. This is the shortcoming of quoting absolute figures in a premises licence; they are likely to become outdated within the lifetime of the PL.

Please provide me with some dates when you and Louise will be available to discuss this matter. I would also like Mr Gareth Hughes of Jeffrey Green Russell to be in attendance on the basis that he will be drafting any application.

Richard Vivian

Principal Consultant, Big Sky Acoustics Ltd

From: Brothers, Anne

Sent: 13 June 2013 14:10

To: 'Richard Vivian'

Cc: Gareth Hughes; Gemma Stevens; Griffiths, Aled

Subject: RE: 58 Old Street - internal noise levels

Dear Mr Vivian

I have discussed this matter with my manger Aled Griffiths. For future reference, Louise Norris will no longer be dealing with this matter.

Our advice is to make an application for a variation to the premises licence if you want any increase to the sound levels.

You state the premises has a different layout and considerably different sound insulation.

I have checked the approved plans for the premises and can see no changes to the layout apart from a roof terrace that was an unauthorised change which I understand was closed by Licensing. We have had no information about any changes to the sound insulation at the premises.

We see no point in meeting to discuss this matter any further and we shall await your variation application.

Anne Brothers

Noise Liaison Officer

Noise Team

Decco London Limited
8A Cranbrook Row
Ilford
Essex
IG1 4DJ

Pollution Team
222 Upper Street
London N1 1XR

T 020 7527 3047
F 020 7527 3059
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

Our ref: abr/160027463
Your ref:

This matter is being dealt with by:
Anne Brothers

Date: 7 September 2016

Dear Sir

**ALLEGED NOISE NUISANCE FROM AMPLIFIED SOUND AND CUSTOMER NOISE
OUTSIDE. NOMAD, 58 OLD STREET LONDON EC1V 9AJ. ENVIRONMENTAL
PROTECTION ACT 1990. LICENSING ACT 2003.**

We are in receipt of a call from a local resident in connection with the above matters. The resident states:

"Significant level of music noise coming from Nomad nightclub located on the corner of golden lane & old street. The music is very loud & can be heard inside my flat (which overlooks Golden Lane) at 11.50pm on Saturday evening (3/9/16). It's not just noise, I can identify the bass & treble sounds! On Friday eve (2/9/16) - there was significant music noise also. Later at approx 2am a large group (approx 25) people left the club and proceeded to remain outside the club on golden lane, talking loudly, sounding car horns & playing music for approx 30mins."

There are conditions on the premises licence for Nomad as follows:

- All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
- The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
- The premises shall adopt a policy where the door supervisors ensure that the inner door is shut before the outer one is opened. This means that main doors are kept closed (not held open by doormen) to avoid outbreak when inner doors opened to dance floor areas.
- The maximum noise levels for amplified sound in the basement, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
93dB	103dB	95dB	93dB

- The maximum noise levels for amplified sound on the raised ground floor, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

- The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months.
- The licensee shall employ a dedicated cab company and devise a system for collection of customers that will minimise disturbance to local residents.
- Security staff should stay on for at least an hour after closing time.
- The licensee to use best endeavours to ensure clients wait inside the premises for their taxis to arrive.

I have checked our files and we have not had a calibration certificate from you for some considerable time, therefore please contact your acoustic consultant and check the sound systems and produce a calibration certificate for the files here. Please get the calibration certificate to me within two weeks of the date of this letter.

The calibration certificate should contain the following information:

Date of calibration.

Make and model of the limiter installed.

Make and model of amplifier/sound distribution system.

Serial number of the limiter.

Location of the limiter and floor plan showing location of speakers.

Specified maximum sound levels with one minute Leqs at the Linear, "A" weighted, 63 and 125 Hz frequencies.

Details of the measurement point.

Details of the security arrangements for the limiter and other components.

Details of the sound level meter used during recalibration.

Calibration details for the sound level meter used.

Name and contact details of acoustician.

In addition, please ensure your customers disperse promptly and quietly at the end of trading and any customers outside in the smoking area during trading are considerate to residential neighbours and are not permitted to be noisy.

We look forward to your co-operation in this matter but we must warn that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance.

Yours faithfully,

Anne Brothers

Anne Brothers

Principal Technical Officer

cc. Benjamin S James-Winston, DPS,

Correspondence with the acoustic consultant

EMR from Richard Vivian (AC) on my return from leave pasted below:

From: Richard Vivian [mailto:]

Sent: 22 September 2016 16:56

To: Brothers, Anne

Cc:

Subject: Nomad London: 58 Old Street EC1V 9AJ

Dear Anne

How are you? It has been a long time since we last spoke.

Firstly I would like to deal with the allegation of nuisance. Has anything been witnessed or recorded by an officer? If so what and where? That information will be of great assistance in establishing what may have occurred and quickly taking any corrective action. The premises appears to have operated for a considerable time without complaint so I would like to identify what this new problem is.

Secondly we did encounter some problems last time you requested a limiter calibration certificate in 2013. My recommendation to my client has always been that the limiter should be set at a level that does not cause a public nuisance: the operation of the premises without complaint for a number of years appear to be a good indication that this approach has worked.

I can arrange for the limiter to be checked again but the internal levels measured are not going to correlate with the measurements on the premises licence as these are fallacious. Last time we exchanged emails on this matter I suggested we meet to discuss a way forward but you did not take me up on that offer. If the case is now re-opened I will make that offer again that we meet on site, discuss the errors in the existing PL, and try and formulate a way forward. In the meantime I have advised my client to recheck the limiter settings and also to address the issues of dispersion of patrons. He assures me a strategy is already in place to deal with your concerns.

I look forward to hearing from you.

Best regards

Richard Vivian

Richard Vivian BEng(Hons) MIET MIOA MAES MIOL

Big Sky Acoustics Ltd

office:

mobile:

Reply to Richard Vivian, (no reply received):

From: Brothers, Anne

Sent: 26 September 2016 16:04

To: 'Richard Vivian'

Cc:

Subject: RE: Nomad London: 58 Old Street EC1V 9AJ

Dear Mr Vivian

The resident states that noise has not been an issue in recent years but the volume of sound has been increasing over the past few weeks.

Our officers did visit on the night (4/9) and witnessed very loud music and some customer noise outside. They visited and spoke to a door supervisor advising the volume of amplified sound was too high and they noted the volume was reduced while they were still on site.

We also had two complaints in July regarding people noise outside the premises. Looking back at the file for this year there are a total of 8 complaints about the premises. In the main they are about people noise outside.

There are relevant noise conditions on the premises licence about dispersal of customers:

- " Security staff to patrol the vicinity encouraging patrons to disperse quietly.
- " Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly and quickly. Staff and security shall also supervise persons leaving the premises after entertainment has taken place and where necessary, request that persons leaving the premises do so in an orderly manner as quickly as possible.
- " The licensee shall employ a dedicated cab company and devise a system for collection of customers that will minimise disturbance to local residents.

Please discuss the above conditions with your client to ensure that noise outside is sufficiently minimised so as not to be an issue.

In respect of the control of amplified sound, the licence conditions are clear:

- " All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
- " 15. The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
- " 16. The entertainment noise control system controls are to be kept in a secure, lockable cupboard or similar location. The entertainment noise control system is to be completely independent of control by persons other than the licensee. Access to the

entertainment noise control system control is to be restricted to the Licensee or designated manager.

" The maximum noise levels for amplified sound in the basement, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
93dB	103dB	95dB	93dB

" The maximum noise levels for amplified sound on the raised ground floor, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

" The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months.

If you want to change the conditions then your client needs to make an application to vary the premises licence and the matter would be determined by the Licensing Committee.

In the meantime please recalibrate the sound system to as near as or below the levels specified on the premises licence and please provide a calibration certificate.

Anne Brothers

Licensing Noise Liaison Officer

Pollution Team

Public Protection Division

Pollution Team
222 Upper Street
London N1 1XR

T 020 7527 3047
F 020 7527 3059
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

Our ref: abr/160027666
Your ref:

Decco London Limited
8A Cranbrook Row
Ilford
Essex
IG1 4DJ

Date: 26 January 2017

This matter is being dealt with by:
Anne Brothers

Dear Sir

**ALLEGED NOISE NUISANCE FROM AMPLIFIED SOUND AND CUSTOMER NOISE
OUTSIDE. NOMAD, 58 OLD STREET, LONDON EC1V 9AJ. ENVIRONMENTAL
PROTECTION ACT 1990. LICENSING ACT 2003. RECENT ATTENDANCE AT OFFICER
PANEL**

I refer to my letter to you dated 7 September last year and your attendance at an Officer Panel on 30 November and a subsequent letter sent to you on 6 December last year from the Licensing Manager Ms T Lane.

There are noise conditions on the premises licence for Nomad as follows:

1. All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
2. The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
3. The entertainment noise control system controls are to be kept in a secure, lockable cupboard or similar location. The entertainment noise control system is to be completely independent of control by persons other than the licensee. Access to the entertainment noise control system control is to be restricted to the Licensee or designated manager.
4. The maximum noise levels for amplified sound in the GROUND FLOOR, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
93dB	103dB	95dB	93dB

5. The maximum noise levels for amplified sound on the FIRST FLOOR, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

6. The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months

I understand that at the Officer's panel meeting you agreed to provide a calibration certificate without delay and the requirement on the premises licence to provide an annual calibration certificate was made clear to you.

To date I have not received a calibration certificate detailing the maximum sound levels at the premises.

I also have to inform you that we are again in receipt of a complaint from a member of the public in relation to customer noise outside the premises. The complainant alleges that your customers make a lot of noise outside the premises whenever there is any event on there. This is for your information as I am aware that noise outside the premises was also discussed at the panel meeting. Please can you ensure that your security team is briefed again regarding the control of customer noise outside the premises.

Please provide a calibration certificate within 10 working days of the date of this letter.

The calibration certificate should contain the following information:

Date of calibration.

Make and model of the limiter installed.

Make and model of amplifier/sound distribution system.

Serial number of the limiter.

Location of the limiter and floor plan showing location of speakers.

Specified maximum sound levels with one minute Leqs at the Linear, "A" weighted, 63 and 125 Hz frequencies.

Details of the measurement point.

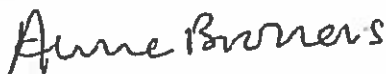
Details of the security arrangements for the limiter and other components.

Details of the sound level meter used during recalibration.

Calibration details for the sound level meter used.

Name and contact details of acoustician.

Yours faithfully,



Anne Brothers

Principal Technical Officer

cc. Mr Benjamin S James-Winston, DPS,

Katie Tomashevski, Licensing Officer.

Correspondence with the licensee

From: Nomad London Club [<mailto:>]
Sent: 29 January 2017 19:41
To: Brothers, Anne
Subject: Calibration cert.

Hi Anne,

We are in receipt of your letter dated 26th Jan.

As you are aware, January is a relatively quiet month (and wanting to get a true representation of things), we have had to wait.

We have sent 3x dates in Feb over to Big Sky Accoustics for monitoring and are currently awaiting confirmation on one of them.

Kind Regards,

Steve Burkes

TEAM NOMAD

<http://nomadlondon.com>

From: Brothers, Anne
Sent: 30 January 2017 08:49
To: 'Nomad London Club'
Cc: Tomashevski, Katie
Subject: RE: Calibration cert.
Importance: High

Dear Mr Burkes

This is not a requirement for a new assessment and music levels are set for when the club is either empty or full. Therefore the testing can be carried out anytime.

Therefore please get your acoustic consultant to visit, test the system, ensure it will not exceed agreed maximum sound levels that are stated on the premises licence and provide a calibration certificate on or before Thursday 9 February.

Anne Brothers

Licensing Noise Liaison Officer

Pollution Team

Public Protection Division

222 Upper Street

London N1 1XR

Tel: 020 7527 3047



24 Bell Street
Romsey
SO51 8GW

T: 01794 515999
F: 01794 515100
E: info@24acoustics.co.uk

Stirling Porter
S P Consulting Services Ltd
226-228 Bon Marche Building
London
SW9 8BJ

Date: 18th December 2008
Reference: R2616-1 Rev 1

Dear Stirling,

Re: Floral Nightclub, Old Street, London – Noise Assessment

Further to our recent site visit and measurements, we are pleased to submit our assessment and findings.

1.0 INTRODUCTION

- 1.1 24 Acoustics Ltd has been instructed by SP Consulting Services to undertake an assessment of noise levels arising from proposed plant serving the Floral nightclub at the junction of Old Street and Golden Lane, London. The issue of music noise transmission to an adjacent residential property has also been discussed and assessed.
- 1.2 This report presents the results of a background noise survey undertaken at the nearest residential property to the proposed plant in the period 4th – 5th November 2008. Sound insulation measurements between the licensed premises and adjacent residential property were undertaken on the evening of 2nd September 2008.
- 1.3 All noise levels in this report are presented in dB relative to 20 μ Pa.

2.0 SITE DESCRIPTION, BACKGROUND AND PROPOSED OPERATION

- 2.1 The nightclub is located on the junction of Old Street and Golden Lane and was most recently used as a licensed premises. The nearest residential property is located in Golden Lane and is structurally adjacent to the club.
- 2.2 Figure 1 shows the proposed site and surrounding area.

3.0 NOISE CRITERIA

Plant Noise - BS 4142

- 3.1 For noise from industrial developments, it is normal to make use of British Standard 4142 "Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas" [Reference 1].

- 3.2 BS 4142 provides a method for rating the effects of industrial noise on mixed residential and industrial areas. The standard advocates a comparison between the typical measured L_{A90} background noise level and L_{Aeq} noise level from the source being considered. For rating purposes if the noise source is tonal, intermittent or otherwise distinctive in character, a rating correction of +5 dB is applied. The standard states that a difference between the rating level and the background level of +10 dB indicates that 'complaints are likely', a difference of +5 dB is of 'marginal significance' and a difference of -10 dB is a 'positive indication that complaints are unlikely'.

Local Authority Requirements

- 3.3 The Local Planning Authority, Islington Council, requires that noise arising from fixed plant should be 5 dB below the typical background noise level during hours of operation (as assessed under BS 4142). Typical hours of operation for the nightdub's ventilation system are understood to be 09:00 – 05:00.

Music Noise

- 3.4 Islington Council requires that where a licensed premises is structurally attached to a residential property, noise from amplified music be controlled to be inaudible within the residential property; full details are shown in Appendix B.
- 3.5 In practice, this means that the single octave frequency bands at 63 Hz and 125 Hz should not increase between music being played and no music when assessed using the average or L_{eq} index over a single minute period.

4.0 PLANT NOISE ASSESSMENT

Equipment and Procedure

- 4.1 Background noise measurements were taken over the period 4th – 5th November 2008. Measurements were undertaken externally at a location which is acoustically representative of the nearest residential property (as shown in Figure 1). The instrumentation was set up to monitor and store noise levels continuously in 5 minute samples (using fast time weighting) in terms of the overall A-weighted L_{eq} and L_{90} sound pressure levels. A definition of the acoustic terminology used in this report is provided in Appendix A.
- 4.2 The following instrumentation was used during the survey:
- Rion NL-32 precision grade sound level meter;
 - Bruel and Kjaer Type 4231 acoustic calibrator.
- 4.3 Calibration was checked before and on completion of the measurements and no drift was recorded. The weather during the survey was dry with wind speeds below 5 m/s. Noise measurements were made in accordance with BS 7445: 1991 'Description and measurement of environmental noise Part 2 - Acquisition of data pertinent to land use'.

Results

4.4 The results of the environmental survey are presented in graphical format in Figure 2, showing the recorded average $L_{Aeq}(5min)$ and background $L_{A90}(5min)$ values. Noise levels were controlled by road traffic.

4.5 With reference to the measured data, the following typical background noise level was measured:

09:00 – 04:00

43 dB $L_{A90, 5 min}$

Assessment

4.6 Based upon the requirements of the Local Planning Authority, noise from the plant should not exceed the following levels as measured at 1 metre from the windows of the nearest affected residential property:

09:00 – 04:00

38 dB L_{Aeq}

4.7 The proposed plant is understood to comprise 4 condensing units (Fujitsu AO54L) which will be located on a flat roof area. The sound pressure level at 1m from a single unit is 54 dBA and not tonal in character. The units have been specified on the basis of the low noise output and located to achieve screening to the nearest residential property.

4.8 The proposed ventilation plant has been assessed and found to operate at a level of 34 dBA at the nearest window of the nearest affected residential property. On this basis, the required target given above of 38 dBA has been achieved.

4.9 The calculation has been derived taking into account distance and screening losses. The receptor point is at the rear of 125 Golden Lane (ie, where measured background noise levels are lower). A distance loss of 15 dB has been applied to account for the attenuation over a distance of 8m (ie, from a source level of 1m). Screening from the rear edge of the receptor building, to the nearest openable window at the rear, has been calculated to be 11 dB. When subtracted from the combined noise level from the operation of all 4 units, the losses combine to give a level of 34 dBA as referred to above.

5.0 MUSIC NOISE ASSESSMENT

5.1 Sound insulation testing was undertaken on the evening of the 2nd September 2008. The tests involved reproducing music at a relatively high level within the ground and first floor areas of the dub and measuring the resultant noise level within the residential property next door (with the kind permission of the owner).

5.2 The ambient noise levels shown in Table 1 were measured in the adjacent property (with windows closed).

Description	Sound Pressure Level (dB Leq)		dB L_{Aeq}
	63 Hz (1/1 octave)	125 Hz (1/1 octave)	
Ambient	45	38	31

Table 1: Ambient Noise Levels Within Residential Property

- 5.3 The music noise level (using a music track with heavy low frequency bass) was then varied to assess the level at which this threshold would be exceeded. The results of the tests have informed the design of the works which are currently underway.
- 5.4 Additional music measurements were undertaken on the evening of 9th December 2008. The following equipment was used:

Norsonic Precision Sound Analyser	Type 118
Bruel and Kjaer Calibrator	Type 4231

- 5.5 Using the guidance given by the local authority (ie, that amplified music should be inaudible in the adjacent property), the noise limiter (Formula Sound AVC2) was calibrated such that the levels shown in Table 2 could not be exceeded.

Location	Sound Pressure Level (dB L _{eq})		dB L _{Aeq}
	63 Hz (1/1 octave)	125 Hz (1/1 octave)	
Ground Floor	95	93	93
First Floor	92	89	89

Table 2: Maximum Internal Noise Levels

- 5.5 Measurements were obtained in the centre of each of the rooms using a spatial sweep over a duration of 60 seconds to account for potential low frequency measurement error.
- 6.0 CONCLUSIONS**
- 6.1 An assessment of background noise levels has been carried out at Floral Nightclub under the requirements of the Local Planning Authority, Islington Council.
- 6.2 Based upon the survey results, limiting criteria applicable to noise from the proposed ventilation plant been established. In addition, the noise arising from the plant has been reviewed and found to operate within the defined limit.
- 6.3 Noise from amplified music in the adjacent property has been assessed. Source levels within the premises are controlled via a noise limiter which has been configured to ensure that appropriate noise levels within the adjacent property are achieved.

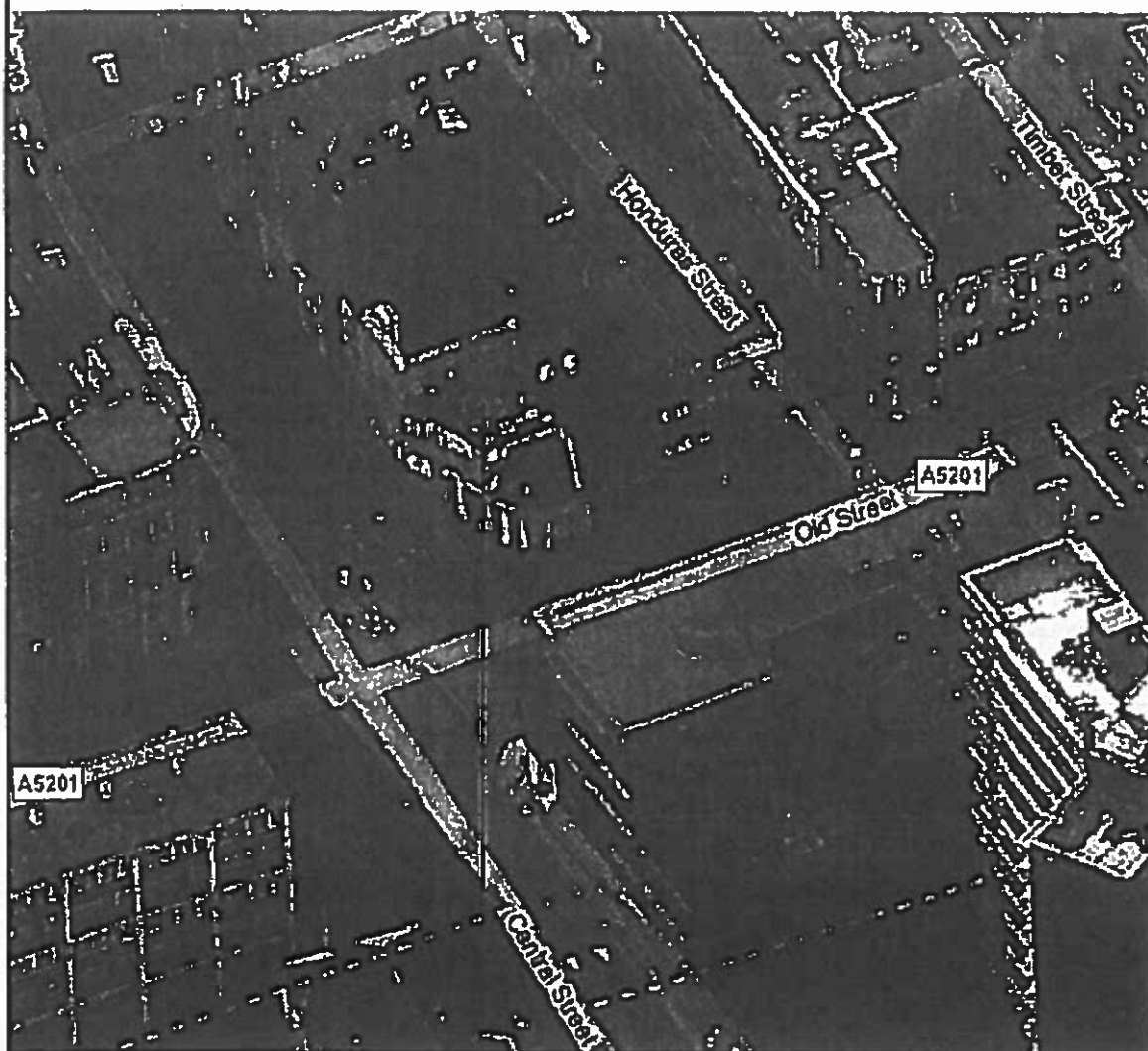
I trust the above is satisfactory. Should you have any further questions or require assistance, please do not hesitate to call.

Yours sincerely,

Steve Gosling BEng MIOA
Principal Consultant

REFERENCES

1. British Standards Institution. British Standard 4142. Method for Rating Industrial noise affecting mixed residential and industrial areas, 1997.
2. International Standards Organisation. ISO 9613. Acoustics- attenuation of Sound Propagation Outdoors.



Noise Monitoring
Position


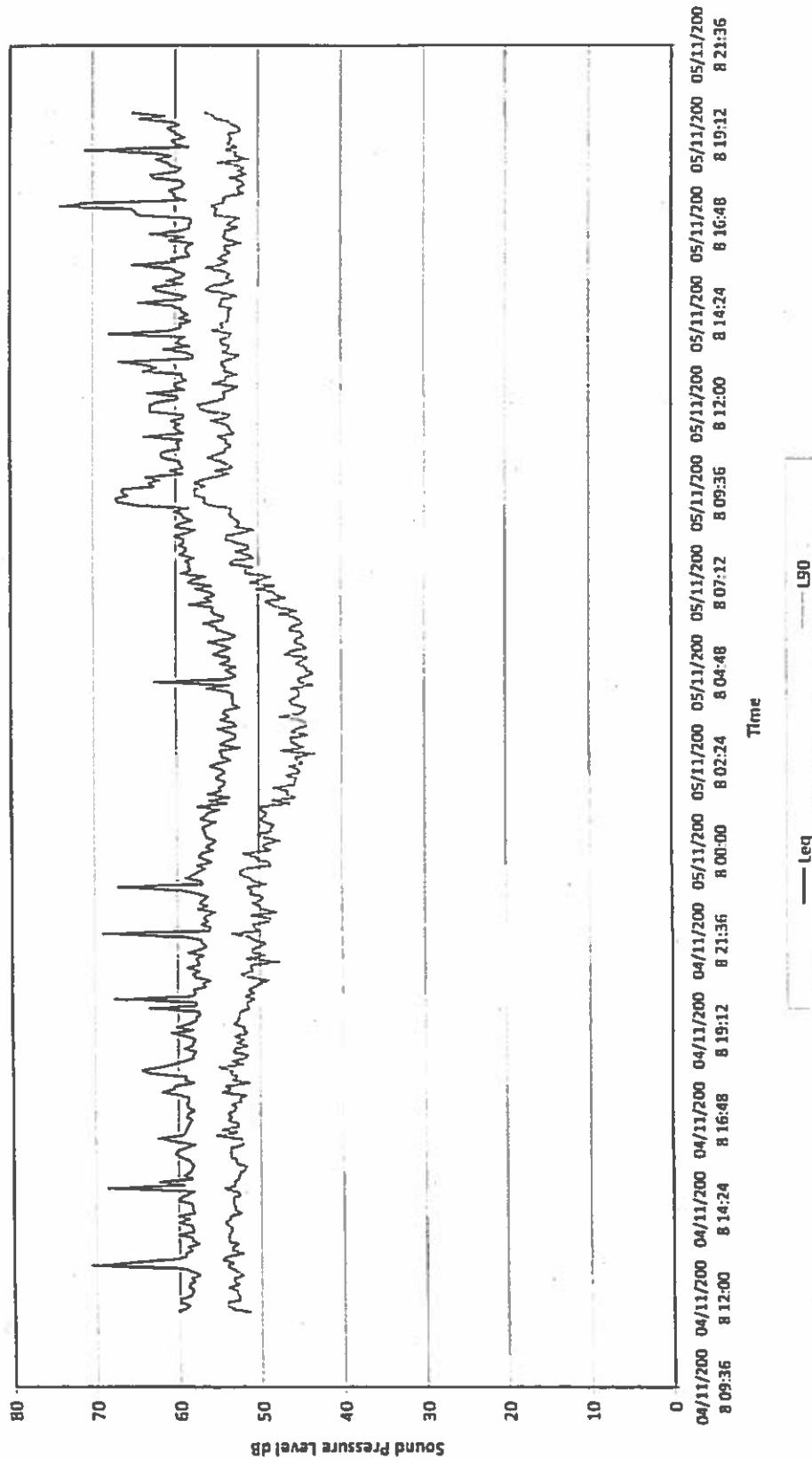
Project: Floral, Old Street	Project: Site Overview and Measurement Position		 24Acoustics www.24acoustics.co.uk
DWG No: Figure 1	Scale: N.T.S.	Rev: A	
Date: 30th October 2008	Drawn By: SG	Job No: 2616-1	

FIGURE 2 – ENVIRONMENTAL NOISE RESULTS

Floral Nightclub
Old Street, London 4th - 5th November 2008



APPENDIX A: ACOUSTIC TERMINOLOGY

Noise is defined as unwanted sound. The range of audible sound is from 0 to 140 dB. The frequency response of the ear is usually taken to be around 18 Hz (number of oscillations per second) to 18000 Hz. The ear does not respond equally to different frequencies at the same level. It is more sensitive in the mid-frequency range than the lower and higher frequencies and because of this, the low and high frequency components of a sound are reduced in importance by applying a weighting (filtering) circuit to the noise measuring instrument. The weighting which is most widely used and which correlates best with subjective response to noise is the dB(A) weighting. This is an internationally accepted standard for noise measurements.

For variable sources, such as traffic, a difference of 3 dBA is just distinguishable. In addition, a doubling of traffic flow will increase the overall noise by 3 dBA. The 'loudness' of a noise is a purely subjective parameter, but it is generally accepted that an increase/ decrease of 10 dB(A) corresponds to a doubling/ halving in perceived loudness.

External noise levels are rarely steady, but rise and fall according to activities within an area. In attempt to produce a figure that relates this variable noise level to subjective response, a number of noise indices have been developed. These include:

i) The L_{Amax} noise level

This is the maximum noise level recorded over the measurement period.

ii) The L_{Aeq} noise level

This is "equivalent continuous A-weighted sound pressure level, in decibels" and is defined in British Standard BS 7445 [1] as the "value of the A-weighted sound pressure level of a continuous, steady sound that, within a specified time interval, T, has the same mean square sound pressure as a sound under consideration whose level varies with time".

It is a unit commonly used to describe construction noise and noise from industrial premises and is the most suitable unit for the description of other forms of environmental noise. In more straightforward terms, it is a measure of energy within the varying noise.

APPENDIX B: ISLINGTON'S MUSIC NOISE CRITERIA

TECHNICAL ADVICE FOR CONSULTANTS ON SOUND INSULATION AND NOISE CONTROL CRITERIA FOR ENTERTAINMENT LICENSED PREMISES.

Appoint an acoustic consultant registered with the Institute of Acoustics or Association of Noise Consultants with the brief to undertake a thorough acoustic survey of the neighbourhood with regard to noise sensitive premises near the proposed licensed premises. The survey to identify representative existing background and ambient noise levels during all times of operation of the proposed licensed premises, as $L_{A90}(1min)(t)$ and as real time simultaneous $L_{eq}(1min)(t)$ 1/1 octave bands centred on the frequencies 63Hz and 125Hz.

Measurements to be taken 1 metre from the facade of the nearest noise sensitive premises or calculated as for this position from readings taken at appropriate locations. Where the proposed licensed premises share party walls, floor/ceiling partitions or other construction elements with a non-associated noise sensitive premises, then existing background and ambient noise levels as described above shall be measured within those non-associated noise sensitive premises. Where access to such noise sensitive premises is not available, then measurements in similar premises in a similar acoustic environment may be substituted.

Using the results of the acoustic survey, a scheme of sound insulation works and other noise control measures is to be designed for the proposed licensed premises. The objective of the scheme is to ensure that music noise from the proposed licensed premises does not cause undue disturbance or is unreasonably intrusive. The scheme of works and other noise control measures is to be based on predicted minimum internal music noise levels of 95 dB(A) $L_{eq}(1min)(t)$ with 95 dB in the 63Hz and 125Hz 1/1 octave bands within the parts of the premises designated for music and dancing.

The schedule of works should achieve the following

Where there are no shared party walls, floor/ceiling partitions or other construction elements with adjoining non-associated noise sensitive premises.

Where the licensed premises is proposed to operate only between 0700 and 2300 the music noise at all times of operation, shall not cause an increase of more than 2dB in the $L_{A90}(1min)(t)$ when compared with the existing equivalent $L_{A90}(1min)(t)$ without the premises in operation.

At the same times the music noise from the proposed licensed premises shall not cause an increase of more than 3dB, above the real time simultaneous $L_{eq}(1min)(t)$ 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent $L_{eq}(1min)(t)$ (63Hz and 125Hz) taken without the premises in operation.

Where the licensed premises is proposed to operate at any time between 2300 and 0700. the music noise at all times of operation, shall not cause any increase in the $L_{A90}(1min)(t)$ when compared with the existing equivalent $L_{A90}(1min)(t)$ without the premises in operation.

At the same times the music noise from the proposed licensed premises shall not cause any increase in the real time simultaneous $L_{eq}(1min)(t)$ 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent $L_{eq}(1min)(t)$ (63Hz and 125Hz) taken without the premises in operation.

Measurements to be taken 1 metre from the facade of the nearest noise sensitive premises. Where access to the facade of non-associated noise sensitive premises is not available, then the above music noise levels 1 metre from the facade of non-associated noise sensitive premises shall be predicted by calculation rather than measured.

Where there are shared party walls, floor/ceiling partitions or other construction elements with adjoining non-associated noise sensitive premises.

At all times of operation the music noise from the proposed licensed premises, within adjoining non-associated noise sensitive premises, shall not cause any increase in the $L_{A90(1min)(f)}$ when compared with the existing $L_{A90(1min)(fast)}$ without the premises in operation.

At the same times the music noise from the proposed licensed premises shall not cause any increase in the real time simultaneous $L_{eq(1min)(f)}$ 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent $L_{eq(1min)(f)}$ (63Hz and 125Hz) taken without the premises in operation.

Where access to adjoining non-associated noise sensitive premises is not available, then the above music noise levels within the adjoining non-associated noise sensitive premises shall be predicted by calculation rather than measured.

Guidance on the determination of existing background A-Weighted L_{90} and ambient L_{eq} 1/1 octave band sound pressure Levels.

The existing A-weighted background L_{A90} and ambient L_{eq} 1/1 octave band sound pressure levels referred to above are liable to vary at similar times from day to day. In order to establish representative values for these sound levels you are advised to follow the guidance in BS 4142 : 1997 and BS 7445 : 1991 so as to derive logarithmic mean values, which have a standard deviation as small as possible, based on a representative sample of measurements relating to the hours of the application. The scheme of sound insulation works and other noise control measures is to be designed for the "worst case scenario" of the lowest existing logarithmic mean A-weighted background L_{A90} and ambient L_{eq} 1/1 octave bands (centred at 63Hz and 125Hz), during any time of proposed operation. For example if the premises is proposed to operate in the early hours of Sunday morning and this is when the existing background and ambient noise levels are at their lowest, then equivalent existing background and ambient sound pressure levels at these times are to be used in respect of the above advice.

Where the internal music noise level within the proposed licensed premises shall exceed the minimum internal music noise levels referred to in 3 above, the scheme of works and other measures shall be appropriately adjusted to meet the music noise targets from the proposed licensed premises at or in non-associated noise sensitive premises as stated in above.

Where entertainment noise control devices or automatic volume control systems are permitted they shall be calibrated and set up, to meet the noise control targets in 4. above. The installation of such devices shall take place under the supervision of an acoustic consultant registered with the Institute of Acoustics who will provide a certificate of the completion and verification of the calibration and set up. The initial set up is to be witnessed by Council officers from the Noise Team. An annual check of the effectiveness, with re-calibration where necessary, of the devices shall be undertaken by an acoustic consultant registered with the Institute of Acoustics, who shall provide a certificate of verification of the calibration and set up. Copies of the certificates of completion and verification of the calibration and set up, both initially and annually, to be provided to the Council's Entertainment Licensing Team within 21 days of the check of effectiveness.

Where entertainment noise control devices or automatic volume control systems are permitted they shall be secured within robust lockable security boxing, or similar, to prevent unauthorised access to and tampering with the controls. Access to the controls is to be restricted to the licensee/s. On no account are DJs, musicians or their sound engineers to have access to the entertainment noise control device or automatic volume control system control

The scheme of sound insulation works and other noise control measures designed for the proposed licensed premises is to be submitted for consideration by the Council before execution. Any licence awarded shall not come into operation until the scheme of sound insulation works and other noise control measures has been undertaken in full and the licensee/s notified in writing of the commencement of operation of the licence.

Correspondence with the acoustic consultant to clarify Linear measurements for the premises licence

From: Brothers, Anne

Sent: 19 December 2008 12:28

To: 'stephen gosling'; Santis, Fanos

Cc: Norris, Louise

Subject: RE: 58 Old Street, EC1, Floral [Scanned]

Dear Steve

With regard to the music noise measurements, in addition to the 63 and 125 Hz and linear measurements, please can we have the levels for the "A" weighting.

Also the old licence for Play Bar gave a monitoring position as follows:

1. The entertainment noise control systems shall be calibrated and maintained so that amplified sound levels measured adjacent to the central pillar in the middle of the ground and first floors of the premises do not exceed the following sound levels:

Will this monitoring point be compatible with your findings? Does the central pillar still exist?

Anne Brothers

Principal Technical Officer - Noise Liaison

From: Brothers, Anne [mailto:Anne.Brothers@islington.gov.uk]

Sent: 19 December 2008 12:50

To: stephen gosling; Santis, Fanos

Cc: Norris, Louise

Subject: RE: 58 Old Street, EC1, Floral [Scanned]

Sorry, I meant Linear.

Anne Brothers

From: stephen gosling [mailto:

Sent: 19 December 2008 12:56

To: Brothers, Anne; Santis, Fanos

Cc: Norris, Louise

Subject: RE: 58 Old Street, EC1, Floral [Scanned]

These were 103 dB Leq (lin) and 98 dB Leq (lin) for ground and first floors respectively.

**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/10579-220915 Amended	Date of original grant*	1 December 2008
--------------------------------	------------------------------------	--------------------------------	------------------------

**An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

Postal address of premises, or if none, ordnance survey map reference or description NOMAD CLUB LONDON 58 OLD STREET			
Post town	London	Post code	EC1V 9AJ
Telephone number	020 7253 4443		

Where the licence is time limited the dates Not Applicable
--

Licensable activities authorised by the licence
For the Ground and First Floors
<ul style="list-style-type: none"> The provision of regulated entertainment by way of: <ul style="list-style-type: none"> The exhibition of films The performance of live music The playing of recorded music The performance of dance The provision of late night refreshment The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities				
<ul style="list-style-type: none"> The provision of regulated entertainment for the exhibition of films: 				
Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	03.00	the following day
Thursday	09.00	to	03.00	the following day
Friday	09.00	to	05.00	the following day
Saturday	09.00	to	05.00	the following day
Sunday	09.00	to	02.00	the following day
<ul style="list-style-type: none"> The provision of regulated entertainment for the performance of live music: 				
Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	03.00	the following day
Thursday	09.00	to	03.00	the following day
Friday	09.00	to	05.00	the following day
Saturday	09.00	to	05.00	the following day
Sunday	09.00	to	02.00	the following day

- The provision of regulated entertainment for the playing of recorded music:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	03.00	the following day
Thursday	09.00	to	03.00	the following day
Friday	09.00	to	05.00	the following day
Saturday	09.00	to	05.00	the following day
Sunday	09.00	to	02.00	the following day

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

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	03.00	the following day
Thursday	09.00	to	03.00	the following day
Friday	09.00	to	05.00	the following day
Saturday	09.00	to	05.00	the following day
Sunday	09.00	to	02.00	the following day

- The provision of late night refreshment:

Monday	23.00	to	03.00	the following day
Tuesday	23.00	to	03.00	the following day
Wednesday	23.00	to	03.00	the following day
Thursday	23.00	to	03.00	the following day
Friday	23.00	to	05.00	the following day
Saturday	23.00	to	05.00	the following day
Sunday	23.00	to	02.00	the following day

- The sale by retail of alcohol:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	03.00	the following day
Thursday	09.00	to	03.00	the following day
Friday	09.00	to	05.00	the following day
Saturday	09.00	to	05.00	the following day
Sunday	09.00	to	02.00	the following day

Except on:

There shall be an additional hour for Christmas Eve, Boxing Day and on Sunday's prior to a Bank Holiday Monday for all licensable activities

New Years Eve all activities are permitted throughout the night until the start of permitted hours on New Years Day

The opening hours of the premises:

Monday	09.00	to	03.30	the following day
Tuesday	09.00	to	03.30	the following day
Wednesday	09.00	to	03.30	the following day
Thursday	09.00	to	03.30	the following day
Friday	09.00	to	05.30	the following day
Saturday	09.00	to	05.30	the following day
Sunday	09.00	to	02.30	the following day

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

On and off supplies

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

Decco London Ltd
8a Cranbrook Row
Ilford
Essex
IG1 4DJ

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

07132708

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

Benjamin Samuel James-Winston

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

LAPERS/15/51494 L B Barnet

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


Service Manager (Commercial)

Date of Issue

31/1/16

Annex 1 - Mandatory conditions

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

There are further 'Mandatory conditions' applicable to licences authorising the supply of alcohol. A full list of the current mandatory conditions is available from the licensing pages on Islington's web site, www.islington.gov.uk. This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

Annex 2 - Conditions consistent with the Operating Schedule

1. The premises shall be constructed and maintained in accordance with the Technical Standards for Places of Entertainment.
2. The maximum number of persons accommodated at any one time in the premises shall not exceed the following 150 persons on the ground floor and 110 persons on the first floor.
3. When alcohol and/or public entertainment is provided by way of music and dancing and continues past 2 am, then SIA registered door supervisors will be employed from 9 pm until 1 hour after closing time at the rate of one door supervisor for every one hundred customers.
4. CCTV shall be installed, operated and maintained inside and outside the premises in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. A working copy shall be supplied free of charge to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request. It is the responsibility of the premise to download any recording requests.
5. Premises to adopt BII Challenge 21 The National Proof Of Age Standards Scheme.
6. Polycarbonate drinking vessels only to be used after 2200 hours and the glass bottles to be decanted into polycarbonate prior to service after 2200 hours.
7. No admissions or re-admissions after 1 hour before the cessation of entertainment unless persons leave to smoke in the designated smoking area.
8. Everyone entering, including re-admissions, to be searched, including using a hand held metal detector.
9. A minimum of 2 door supervisors will be employed from 22:00 hours until half an hour after closing.
10. Signage warning people that they will be searched will be prominently displayed at the entrance.
11. There will be a Personal Licence Holder at the premises whenever they are open.
12. Metropolitan Police risk assessment form 696 will be submitted 14 days in advance of any new promoter at the premises with the event 696A submitted immediately

afterwards in accordance with the requirements set out by Clubs and Vice Division (CO14) of the Metropolitan Police.

13. Security staff to patrol the vicinity encouraging patrons to disperse quietly.
14. All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
15. The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
16. The entertainment noise control system controls are to be kept in a secure, lockable cupboard or similar location. The entertainment noise control system is to be completely independent of control by persons other than the licensee. Access to the entertainment noise control system control is to be restricted to the Licensee or designated manager.
17. The premises shall adopt a policy where the door supervisors ensure that the inner door is shut before the outer one is opened. This means that main doors are kept closed (not held open by doormen) to avoid outbreak when inner doors opened to dance floor areas.
18. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly and quickly. Staff and security shall also supervise persons leaving the premises after entertainment has taken place and where necessary, request that persons leaving the premises do so in an orderly manner as quickly as possible.
19. The maximum noise levels for amplified sound in the GROUND FLOOR, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
93dB	103dB	95dB	93dB

20. The maximum noise levels for amplified sound on the FIRST FLOOR, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

21. The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months
22. The licensee shall employ a dedicated cab company and devise a system for collection of customers that will minimise disturbance to local residents.
23. There shall be no drinking allowed outside the venue.
24. The existing or installation of new items of fixed plant shall be such that, when operating, the noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level $L_{AF90 Tbg}$.
25. The reference time interval T_r shall be 1 hour during the day (07.00 to 23.00 hours) and 5 minutes during the night (23.00 to 07.00 hours). The measurement and/or prediction of the noise should be carried out in line with BS 4142: 1997 and as such, may make use of measurements over a shorter period if appropriate. For the background noise measurement, the reference time interval T_{bg} shall not be less than 15 minutes and the measurements made in accordance with BS 4142: 1997 at a time representative of the hours of operation of the plant. The "Fast" time weighting should be used.

26. The measurements should be reported as façade noise levels. If it is not possible to measure at 1m from a façade, the measurement can be made at an equivalent free-field position with a +3dB correction added to calculate the equivalent façade level. The report shall be submitted to the Council's Noise Team for approval and any works identified to prevent the likelihood of noise nuisance shall be carried out prior to the business being open for licensable activities.

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

1. Security staff to organise people queuing outside to minimise noise and any disturbances.
2. Double exit doors to be kept closed at all times including times of hot weather.
3. Clients from Floral should not be permitted to take their drinks outside when they go out to smoke.
4. Security staff should stay on for at least an hour after closing time.
5. The licensee to use best endeavours to ensure clients wait inside the premises for their taxis to arrive.
6. That management will attend quarterly meetings of Wenlake and Stafford Cripps residents associations.
7. There be a notice displayed, viewable from the outside of the premises, with a management contact telephone number in case of residents concerns.
8. There be a sign displayed on the premises reminding clientele to visit the toilet before leaving.
9. There shall be signs displayed on the premises reminding clients to leave quietly.
10. Signage displaying the name Ghetto and Trash Palace be removed and replaced with Floral.

Annex 4 – Plans

Reference Number: Ground Floor 397-12 Dated: August 2008 & First Floor 397-13 Dated: August 2008

Williams, John

From: [REDACTED]
Sent: 24 February 2017 23:44
To: Licensing; Brothers, Anne
Subject: Nomad Nightclub

Dear MS. Brothers,

Following our conversations over the last two years, I would like to point out that Nomad Nightclub:

- * Has extremely loud music which shakes buildings even from afar on many occasions
- * Their activities and noise goes on often until daylight, around 5 or 6
- * The earliest they stop is around 3 and the clients often leave an hour later
- * The noise level by their clients on the streets is often worse
- * Their bouncers often join in the noise and do little if anything to stop it
- * There are often fights
- * Their clients hold parties with loud music from cars on Old street and Honduras street
- * They often beep their horns to the music repeatedly, until 4 or 5 or 6 in the morning
- * When asked to be quiet, their drunk clients often threaten the local residents
- * Their clients often hold drinking parties on the street and smoke various drugs too
- * The manager is merely interested in money and is totally immoral and does not care about anyone
- * We have had bottles thrown at my and other windows
- * Often after the clients leave, the bouncers themselves play music in their cars loudly on the street after they shut the place, often by then it is daylight
- * And even much more.

The venue is out of control and will lead to serious events amongst it's clients which often ends up in massive fights and closes Old street to traffic.

[REDACTED]

Many local residents who have asked for quiet have been threatened by the gangs of people who regularly frequent the venue.

[REDACTED]

I am writing this after being reassured by you and your few other colleagues I spoke to over the last year when you were away that any information and my name will be confidential.

I also made several reports to the police and they logged my complaints.

[REDACTED]

[REDACTED]

I did what I could, now it is in your hands.

Thank you and to your colleagues for your service, which benefits vulnerable people like the elderly, the sick, many women and children. Old street is the main busy road from central London to east End and people only get a few hours of sleep around here. The Nomad manager has taken away those few hours of possible sleep and rest from hundreds of people and he does not empathise with any other human being.

My previous email service company started charging money and discontinued the service, please email me at this email by [REDACTED] for future correspondence.

Please email me a precise address I can send the videos to for your team to examine.

Warm regards,

[REDACTED]

24th Feb 2017

REF 2

Williams, John

From: [REDACTED]
Sent: 25 February 2017 13:40
To: Licensing
Subject: Nomad - licence review

PLEASE ENSURE THIS REPRESENTATION REMAINS ANONYMOUS AND ALL MY CONTACT DETAILS ARE REDACTED.

Dear Sir/Madam,

I write with regard to the licencing review for Nomad nightclub on Old Street.

Firstly, please can you confirm that my representation will be anonymous and all my contact details will be redacted?

I live at [REDACTED] and my flat looks out onto [REDACTED] and therefore faces [REDACTED] of Nomad. I have lived here for approx 3 years and have had to call the Islington Noise team and the Police a number of times. I have experienced a number of issues resulting from the club & its patrons.

1. Even when the main door on Old Street is closed - the noise generated from the club can be heard inside my [REDACTED] flat with all my windows CLOSED. In my [REDACTED] I have had a [REDACTED] installed to block out the noise, but still it can be clearly heard! Often the noise is the base beat - but sometimes it is so loud that I can make out song lyrics! The noise is enough to disturb my sleep regularly, particularly on Friday & Saturday evenings & early mornings and I would say at least once a week. Further - I have just had a baby on [REDACTED] so quite enjoyment of my flat is even more essential now.

2. The main doors of Nomad, situated on Old Street are frequently left open and then the noise becomes significantly increased.

3. When the club empties of patrons - I am often woken by groups of people standing outside the side of Nomad, on Golden Lane. I often watch them from my flat windows and they linger in groups talking loudly or sitting in cars and playing music - sometimes for up to an hour - usually in the early hours of Saturday or Sunday mornings. I have never seen the security staff ask people to move on or be quiet. I have occasionally called out from my window and asked them to please be quiet, but to little effect. Late in 2016 - I had to call the Police as a fight broke out when a large group left the club and were brawling in the road on Golden Lane - the screaming and shouting woke me up. I called the Police and watched from my flat window as again, the club security did nothing to calm the crowd or ask them to disperse. Again - the noise and disturbance generated from patrons leaving the club disturb my sleep at least once per week.

I appreciate that living in EC1 means that one must get used to noise and I enjoy and celebrate the diversity of our area. However, it seems to me that Nomad is not sufficiently insulated so as to prevent noise from escaping and further that the management and security at the club need to do much more to manage their exiting patrons and show more consideration for local residents.

Should you need any further information on my experience of being disturbed by the noise from Nomad - please feel free to contact me directly.

Yours sincerely,

[REDACTED]


[REDACTED]

--
[REDACTED]

Your Name and Address



Date


28/02/17


Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto  where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on 


If you would like to discuss this matter further please write to me directly or contact the 

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely

[Redacted signature]

PLEASE SEE LETTER ATTACHED.

To whom this may concern,

Please accept this letter as my formal representation and complaint by default regarding the premises known to me as the Nomad Night Club and the [REDACTED] situated within the immediate vicinity of my residence situated at [REDACTED]. Please consider that I have lived at this address which is situated [REDACTED] the Nomad Night Club and [REDACTED] the [REDACTED] for the last 20 years and when I first moved here the Nomad Night Club was operating as a normal public house known as the Central Bar with normal hours of operation for a business of this nature and there was no 24 hour supermarket. This meant that there was no loud music being played till 5am and on the odd occasion when there was an altercation it did cause any undue stress or concern to me or other residents living nearby. Equally the shops which make up part of [REDACTED] situated [REDACTED] operated during normal office hours so this did not cause any noise pollution either.

Unfortunately this all changed a few years ago when the Central Bar began operating as the Nomad Night Club with extended hours of operation and the Lodos supermarket began to operate 24 hours a day. This has meant that for the whole of this time I have been kept awake by the continuous thud of loud music every weekend and on some week nights and the noise associated with people loitering directly under my [REDACTED] facing [REDACTED] due to the Lodos Supermarket operating for 24 hours has dramatically disrupted my quality of life resulting in me becoming quite ill because of it. I have on numerous occasions issued complaints and I have written to Emily Thornberry MP who is also aware of the situation and I have also requested that I be moved because of it.

The introduction of a 5am license for the Nomad Night Club as well as the introduction of a 24 hour operation for the Lodos Supermarket has created a toxic atmosphere and the noise and nuisance associated with both of these premises has reached ridiculous levels and has now created an unbearable situation for me and most residents of Wenlake Estate as well as other people living within the immediate vicinity of this section of Old Street.

Please also consider that the majority of the noise and nuisance is fuelled by a combination of recurring events which includes alcohol and drug abuse and all of the problems associated with this activity. Patrons of the Nomad Night Club often buy alcohol from the Lodos Supermarket before visiting the Nomad Night Club and then often proceed to consume this in or around their vehicles whilst playing loud music on both Old Street, Golden Lane, Central street and the surrounding estates including Wenlake Estate which they often use to park their vehicles before going into the night club. This means that I have to contend with the continuous loud thud of music from the Nomad Night Club, people screaming and shouting in the surrounding areas including outside the Lodos Supermarket, loud music being played from the various vehicles surrounding my estate and all of the noise associated with the influx of mini cabs dropping people off and picking people up from Old Street. Equally the noise levels which are continually painful tend to escalate to pandemonium at around 5am when the Nomad night club closes and the patrons spill out onto Old Street. These people often visit the Lodos Supermarket creating even more noise [REDACTED] windows which includes the constant toots and slamming doors from mini cabs picking these people up as well as the usual number of intoxicated people screaming, shouting or fighting in the street. In addition to this, more often than not there will be some sort of escalating argument which will involve bottles smashing or a full scale fight with all of the noise associated with this.

There has been a slight respite from this never ending nightmare recently because the Lodos Supermarket recently had its licence to sell alcohol because of a serious breach revoked, but I am under the impression that this is temporary and they will resume trading as an off license again very soon.

Please process this information as soon as possible and bear in mind that you are welcome to visit me at any time to witness all that I have said in this letter. Equally please feel free to approach or contact me at any time if you need any further information as I am willing to support any action that may alleviate the stress this is causing me and my family.

Yours sincerely

Williams, John

From: [REDACTED]
Sent: 22 February 2017 17:05
To: Licensing
Subject: Nomad Club (58 Old Street)

FAO: Licensing Review Team

Anne Brothers from the Islington Council Noise Complaint team has advised me that you are reviewing the licensing for the Nomad Club at 58 Old St, London EC1V 9AJ. As a resident at [REDACTED], I am regularly bothered by noise from this venue and it has resoundingly affected my sleep over the past few years. As such, I am writing to put forward my support for this licensing review, and will give evidence below as to the extent of this disturbance.

At this point, I would like to ask for anonymity and for my details to please be redacted from records — thank you.

I have lived at this address since February 2014 and I would say I am bothered — on average — on a weekly basis by noise from club nights held at this venue. It is specifically the noise from customers/patrons that is the most infuriating, unpredictable and difficult to live with. I fully appreciate the level of noise I should expect to bear living where I do, and whilst I am sympathetic to the venue's owners in that they have a business to run and that business runs at night, I do not feel they take suitable or sufficient responsibility for, or action towards limiting, the disruption they cause to their neighbours.

Most weeks, Thursday, Friday and/or Saturday nights see groups of people arriving and leaving the club from late evening to early morning. This starts with customers arriving around 21.00-22.00 but continues throughout the night. They are often already loud and drunk, or they drink before entering the club along the neighbouring side roads (Honduras Street, Central Street, Golden Lane) littering empty bottles and cans. Customers are often dropped off in cars which play exceedingly loud music and which pull up outside the club (on double yellow lines, immediately after a set of traffic lights) causing disruption to other vehicles on the road who then sound their horns continuously until the cars eventually move on. Bouncers seemingly do nothing to prevent cars stopping here, despite it being illegal and disruptive.

In the last few months, the club has also decided to start queuing customers along the street in front of [REDACTED]. I do not understand the thought process behind this because their property (58 Old Street) occupies very little pavement space on Old Street itself and yet fronts ample space along Central Street where they could easily and less selfishly allow their patrons to queue. Instead, metal barriers are set up on club nights along the whole front of [REDACTED]. If I am returning home on these nights, I have to ask the queue to let me through. They can be quite loud or disorderly and this can be intimidating if I am alone. The [REDACTED] and (as a woman) I have had obscenities shouted up at me (by male customers) as I've walked up [REDACTED]. On a couple of occasions, I have had Nomad patrons ring all the doorbells once I have gone inside and they have realised it is a residential property. Vomit, drinking detritus and cigarette butts all litter the doorstep of my building after club nights. The bouncers do not appear to do anything to control or quiet the queuing patrons.

The club empties sometimes around 03.00 but sometimes as late as 05.00. This is when the noise reaches unacceptable levels considering the hour and the fact the majority of surrounding buildings are residential. Drunk patrons gather on the pavement in front of my building (which my

[REDACTED], as well as across the road. Often they are still drinking or have bottles/plastic cups on them. This is not just a quick conversation with their friends when they leave the venue or whilst they are waiting for a ride home. This goes on sometimes for up to an hour. On some nights it has been as late as 06.30 before they have eventually dispersed. They are extremely loud — shouting, squealing, screaming, and arguing — and I can usually hear every word of their conversations. The cars that collect them replicate the aforementioned problems, parking along the double yellow lines beneath [REDACTED] for far longer than is necessarily to simply collect their passengers, always playing loud music, and disrupting other vehicles who are trying to pass through the traffic lights. Horns regularly blare repeatedly around the time the club closes, making it impossible to sleep. Other patrons stumble around in the road causing similar disruptions and horns to sound. Most just stand in groups beneath my window, talking at the top of their voices. My boyfriend and I rarely sleep on these nights and it is extremely stressful to know that you are going to be woken up a few hours after going to bed. The bouncers do absolutely nothing to move patrons on after the club closes or to control the disturbance. I know this because I can hear the conversations.

I have previously had positive experiences speaking to the owner. On some exceptionally bad occasions (for example once when a customer's vehicle was blocking the traffic lights and horns were blaring repeatedly for about 2 minutes at around 05.00, or another night when it was after 06.00 and customers were still drinking outside the club) I have called him and complained and he was very quick to move those patrons on. But no longterm measures were ever implemented and nothing ever happened without my initiating it. The club is seemingly unwilling to change its practices and appears only to act to placate its neighbours when prompted.

I hope this has demonstrated how significant and regular the extent of the disturbance is, and if any further details are required please do not hesitate to contact me.

Thank you for taking the steps to resolve this matter on behalf of local residents. I hope a fair conclusion will be reached.

Sincerely,

[REDACTED]

[REDACTED]

KCT D

Your License Review

Our Licensing/NI

Date: 01/03/2017



PREMISES LICENSE REVIEW:
NOMAD
58 OLD STREET
EC1V 9AJ

METROPOLITAN POLICE
SERVICE
Islington Police Licensing Team
Islington Police Station
2 Tolpuddle Street
London
N1 0YY
Telephone: 07799133204

Email:
licensingpolice@islington.gov.uk

1st March 2017

Dear Sir/Madam

Re: Premises License Review: Nomad 58 Old Street EC1V 9AJ

With reference to the above application, we are writing to inform you that the Metropolitan Police, as a Responsible Authority, will be supporting this application for a review of a premises license under Section 51 Licensing Act 2003.

I have read the application submitted by Miss Anne Brothers, Noise Pollution Team, 222 Upper Street N1 1XR.

I am in full agreement with his assessment of the premises. I believe that the management standards are far from reaching the high standards required and expected by all of the Responsible Authorities and the Council Licensing Policy.

The evidence put forward in Miss Brother's report makes it clear that there have been issues involving noise complaints since 2011, although most details is contained in the reports received within the last 12 months.

On the 30th November 2016 Mr Steven Burkes, Operations Manager and Mr Gareth Hughes Solicitor attended an Officer Panel at 222 Upper Street N1. The venue was called in as the result of a number of noise complaints and nuisance complaints being made against the club by nearby residents. During this Panel Pc Conisbee represented Islington Police Licensing Team. Pc Conisbee spoke of an incident at a nearby kebab shop and the fact that Police had requested CCTV footage from Nomad and that this had not been supplied. As a result of this a new CCTV condition was put forward and Mr Burkes stated that he was happy with that. Pc Conisbee also explained that it was believed that the people involved in the fight at the kebab shop were in fact customers from Nomad and then put forward a further condition regarding any serious assaults occurring at Nomad and Mr Burkes stated that it was common sense.

I am now into March 2017 and yet I have still not had a minor variation application from Nomad asking for these agreed conditions to be added to the license.

It would seem that there is a common theme in that the venue talks of making requested changes but in fact never does and continues to operate in such a way that complaints are received regularly.

I note that Miss Brothers has asked the Committee to consider a number of additions and changes to the venue License as a way to remedy the situation. I fully agree and would add that I would also like the following conditions to be considered for being added to the license. I would point out that the CCTV and Serious Assault conditions were agreed to by Mr Steven Burkes at the Officer Panel in November 2016.

CCTV:

CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to comply with the following criteria:

The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request;

One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;

The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;

The system shall record in real time and recordings will be date and time stamped;

Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to Police or authorised Council officers on request (subject to the Data Protection Act 1998) within 24 hours of any request; &

At all times, there will be a person on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request and to supply a copy of footage immediately to Police to assist with the immediate investigation of an offence.

Serious Assaults:

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

I would also recommend the use of SIA registered door staff at the venue when alcohol and/or public entertainment is provided by way of music and dancing. A minimum of 2 SIA Registered door staff will be employed from 9pm until 1 hour after the venue has closed to assist in the peaceful dispersal of customers.

Islington Police Licensing Team
Pc Steven Harrington 425NI

Williams, John

From: [REDACTED]
Sent: 04 March 2017 00:37
To: Licensing; Brothers, Anne
Subject: Fwd: Nomad

Hello,

I have been notified by Anne that I could email you with regards to the disturbances every Friday and Saturday nights due to Nomad Club.

Indeed, every Fridays and Saturdays, customers arrive at the club, park in our street and make noise before entering the club (11pm-1am). They then make "breaks" outside of the club and go to our street [REDACTED] which is more calm than Old Street or Golden Lane...they drink, smoke and scream...Sometimes the bouncer from Nomad ask them to make less noise (this is another proof that these are the club's customers). At 4am, this is when there are the most noise: people are getting out, finding cars/way to go back home, they put music in their cars...very loud...

The nuisance is slightly less during winter times, but during summer, this is really unbearable.

Many thanks for your help.

ps: I would like to keep anonymity

Best regards,
[REDACTED]

[REDACTED]

REF 7

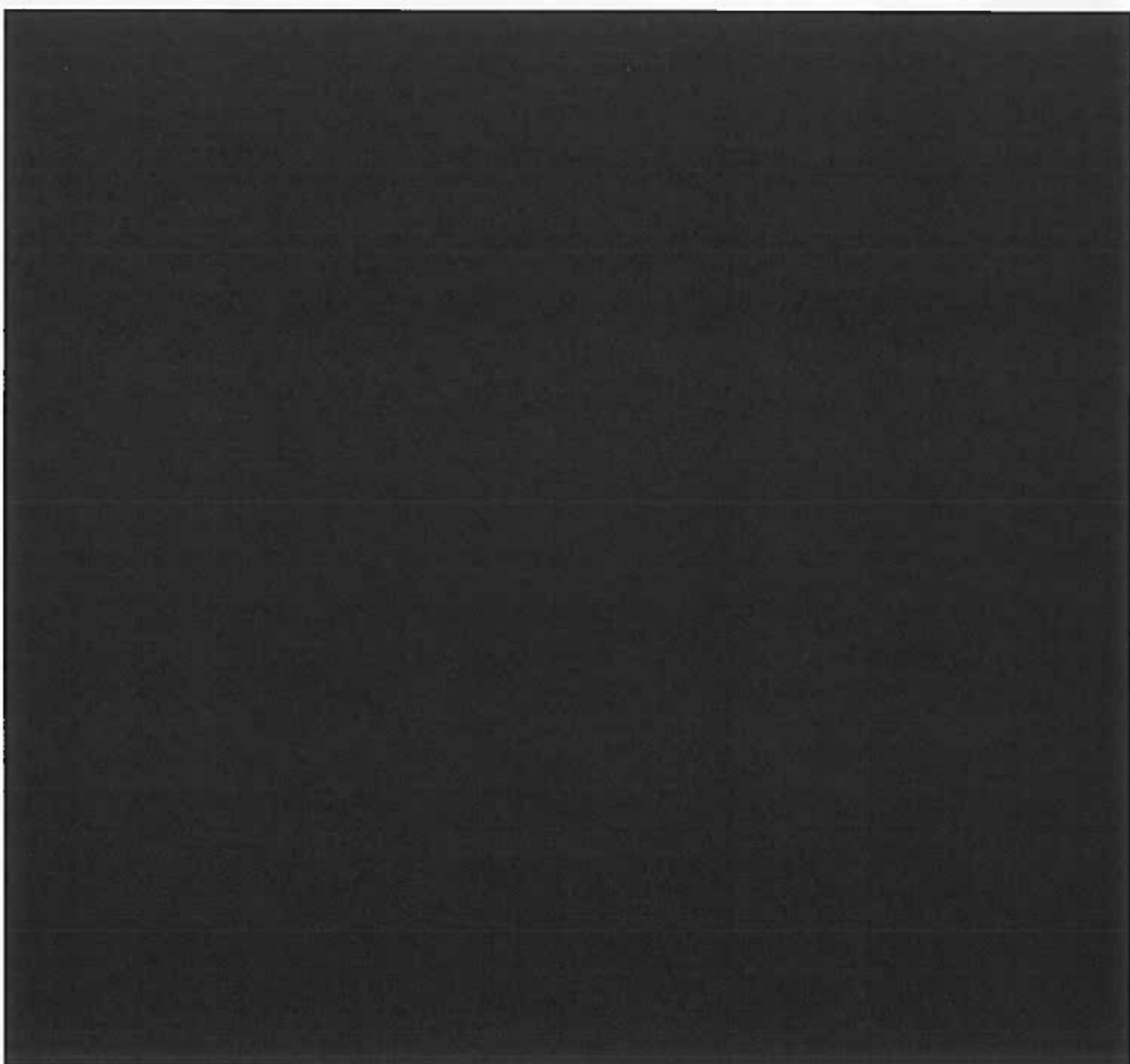
Williams, John

From: [REDACTED]
Sent: 04 March 2017 13:29
To: Brothers, Anne
Cc: [REDACTED] Licensing
Subject: Re: Nomad

Dear all

I am also living at [REDACTED] and can confirm that the Nomad club nearby is very noisy and that customers stay in our street / on the stairs of our building (aperture house) at night during the week end and occasionally during the week.

Many thanks
[REDACTED]



REP8

Website: www.islington.gov.uk

From: [REDACTED]
Sent: 06 March 2017 09:47
To: Licensing
Subject: Support for maintenance of Nomad premises licence - Application for review of premises licence

To whom it may concern,

I am emailing in response to a notice of Application for Review of a Premises Licence concerning the venue Nomad, 58 Old St, London EC1V 9AJ.

The grounds of this application for review are for prevention of public nuisance. Representations regarding this review are invited and as a local resident I write in support of the maintenance of Nomad's licence.

I live a short distance from Nomad and am of course aware of its popularity as a night time venue. I can confirm as a neighbour that noise pollution from Nomad is not an issue, due to responsible management from the venue as well as the nature of the building and its location, which minimises the impact of noise on the surroundings.

The presence of the venue inevitably leads to increased numbers of people in the area late at night. I see this as a highly positive outcome. This is not only an indicator of Islington's successful nighttime economy of which I am proud, but contributes to my own feeling of safety. I feel more secure due to the presence of Nomad patrons in the area at night, as well as due to the presence of door staff. As a young woman I am confident that without Nomad, the area would be quiet and deserted, causing me to feel far less safe.

I often need to walk past the queue to Nomad late at night and have never witnessed any nuisance behaviour or felt concerned by this.

In addition to not causing a nuisance, the presence of Nomad as a highly popular nighttime venue provides an example of the success of Islington's nighttime economy which is to be celebrated. Not only this, but Nomad's hosting of events such as dance classes during the week are a real contribution to community life.

As a local resident I do not feel Nomad causes public nuisance - rather it is a successful venue, contributing to the community, of which we should be proud. I therefore support the maintenance of Nomad's licence.

Thank you for your consideration.

Yours faithfully,

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

This e-mail is intended for the addressee only. If you have received it in error, please contact the sender and delete the material from your computer. Please be aware that information in this email may be confidential, legally privileged and/or copyright protected.

Williams, John

From: [REDACTED]
Sent: 09 March 2017 16:04
To: Licensing
Subject: representation in the case against NOMAD Nightclub

Dear Sir or Madam,

I am writing to you with regards a case that has been opened by the Islington council regarding nuisance caused by the NOMAD Nightclub customers.

I would like to add my voice to the plaintiff list. I recently moved in in [REDACTED] in [REDACTED] and I have been very unpleasantly surprised by the discovery that the customers of the above mentioned nightclub were actually very irritating.

The first nuisance is coming from the noise. I have been able to observe the queue of customers lining-up to get in, arriving almost below my windows (and I don't live around the corner of the nightclub!!). Needless to say that between 11pm and 1am most customers are pretty drunk already and extremely loud. I have been woken up in early hours and I have seen the customers getting out from the club and continuing the party in Honduras street.

The second nuisance has been the regular vomit left on the pavement, and this every week. It is not nice to open the door on a Friday morning to go to work and find at the door the vomit left during the night. And this happened more than once already in the past few weeks I have lived in the flat.

I am only 29 years old, and so probably not your typical plaintiff, and I understand that people like to go out, I do myself, but from what I have seen the club does not manage to control their customers and they should have someone managing this like most clubs do, to keep the volume down and have customers not stay around when the club closes.

My full name is [REDACTED] and postal address is [REDACTED]

I would like to keep my name anonymous because I have started to realise the kind of customers attracted by that place and some of them (meeting regularly on the pavement under my window to smoke pot) are scaring me when I come back to my flat.

Yours faithfully,
[REDACTED]

Your Name and Address-

Date

1 Mar 17

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

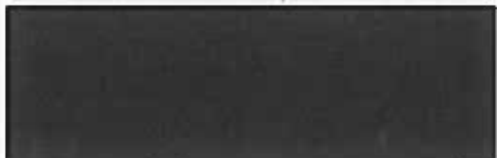
I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



When we 1st moved in 5 years ago I made a number
of complaints to the noise abatement team about
Nomad, sadly with no effect. Their noise has
of anything got worse over the last 3 years.

Licensing Act 2003- Representation from the Licensing Authority
Application: Nomad, 58 Old Street, London EC1

I am submitting a representation on behalf of the Licensing Authority with respect to the police application to review the premises licence.

The grounds for the representation are:

- The prevention of public nuisance

Licensing Policy Considerations

Licensing Policies 9 & 10 Standards of Management

Licensing Policy 30 Review of Licences

Issues of Concern

The Licensing Authority supports the Pollution Team application to review the premises licence, as it believes that the management of the premises is undermining the licensing objectives.

Following a number of complaints from residents starting in February 2016 the Pollution Team alerted the Licensing Team about a breach of licence conditions. Specifically, that the licensee had been asked for a calibration certificate as required by Annex 2 Condition 21 since 26 January 2011 and none had been provided. The Pollution Team wrote to the licensee four more times requesting a calibration certificate and to date it has not been provided.

On 8 October 2016 at 01:35 Licensing Officers visited the premises and spoke to Steve Burkes who is the sole director of Decco London Ltd, the licensee. Before entering the premises Officers were parked across the street from the venue on Golden Lane and music from the premises could be heard. During the visit the Officers discussed the complaints about noise from customers outside the premises. When asked about the calibration certificate Mr Burkes said that his noise consultant was speaking to the Pollution Team. Mr Burkes pointed out that there was a mistake on the premises licence and Officers suggested that a minor variation could correct the mistake. It was clear that Mr Burkes was aware of the mistake for a few years and no attempt was made to rectify it.

Following the visit the Licensing Officer investigated the administrative error on the licence. On 11 November 2016 the corrected premises licence was sent to the licensee. The letter that accompanied the licence is attached to this representation as Annex 1

The Licensing Authority then wrote to the licensee requesting a calibration certificate with a deadline for the calibration certificate. This letter was also sent on 11 November 2016 and is attached to this representation as Annex 2

On 19 November 2016 Licensing Officers visited the premises again to carry out a full Licensing check and spoke to Mr Burkes and the DPS Benjamin James-Winston. It was an unsatisfactory visit as there were a number of conditions that were not being complied with. The metal detector was not being used, a number of fire extinguishers were out of service, fire exit signs were blocked, fire doors were propped open and no one could work the CCTV and it was not showing the correct time. Mr Burkes was questioned as to when the Licensing Authority could reasonably expect the required calibration certificate. Mr Burkes told officers that he was unable to have a calibration certificate done until he triple glazed the ground floor and he was planning to do that in January 2017. A warning letter detailing the problems with the visit was sent to the licensee on 28 November and is attached to this representation as Annex 3.

On 30 November Mr Burkes attended Licensing Officer Panel to discuss the findings from the recent visits to the premises. Four actions were agreed at the Panel including providing a calibration certificate. The decision letter following Licensing Officer Panel dated 6 December 2016 is attached to this representation as Annex 4.

On 10 March 2017 Licensing Officers monitored the premises for noise and searching procedures from outside. On arrival an Officer saw a group of men standing outside the premises then cross the road and go into an off licence, after leaving the off licence they then walked past the officers in the parked car and were in between a van and a car in the parking lot behind Anchor House. The men were very raucous for approximately 5 minutes, although it was not possible to see what they were doing as our view was obscured by a large van. Two people from the group crossed the road and entered Nomad at 00:01, both searched prior to entry. At 00:07 five more from the group in the carpark crossed the road and entered Nomad, all searched prior to entry. Officers checked the carpark but could not see any signs of pre-loading. Officers observed customers being physically searched before entry but no search wands were evident.

Conclusion

There have been numerous complaints to the Council's ASB team and Pollution Team for over a year. Several complaints were received following the Licensing Officer Panel regarding noise and ASB caused by customers late at night. Formal requests have been made time and time again to provide calibration certificates as required by the premises licence. The licensee has also been told that if they felt that the condition was particularly onerous then a variation could be made. The last calibration certificate dated 18 January 2011 was rejected as inadequate. There are also concerns the licensee seemed content knowing that there was an administrative error on the licence but he never sought to correct it. Even after meeting with the Licensing Officer Panel about the urgency to provide a calibration certificate in November 2016 none to date has been provided. The Licensing Authority have concerns about the management of the premises and how seriously they take their responsibilities with regards to complying with the conditions on the licence

Recommendations

In order to promote the licensing objectives it is recommended that the licensing committee considers the facts contained in the Pollution Team's Review and any mitigation put forward by the Licence Holder. It is recommended that the licence be suspended for a period of time sufficient for the licensee to carry out the works necessary, including a satisfactory calibration certificate and the imposition of the conditions suggested by the Pollution Team.

Terrie Lane
Licensing Manager
terrie.lane@islington.gov.uk
020 7527 3233

22 March 2017

Annex: 1



Licensing Team
Public Protection Division
222 Upper Street
London
N1 1XR

T 020 7527 3031
F 020 7527 3430
E licensing@islington.gov.uk
W www.islington.gov.uk

Our ref: LN/000010579

Date: 11th November 2016

Decco London Ltd

This matter is being dealt with by:
Katie Tomashevski

Dear Sirs

LICENSING ACT 2003

RE: NOMAD CLUB, 58 OLD STREET, ISLINGTON, LONDON, EC1V 9AJ.

The Licensing Authority has Amended Premises Licence for the above named premises following the visit to the premises on 7 October 2016 where Steve Burkes the director of Decco London Ltd was spoken to. During the visit Mr Burkes pointed out an administrative error on the licence regarding the sound levels on the licence.

Enclosed with this letter are three documents that are the references for the amendment to the premises licence. They are:

1. The decision of the Licensing Sub Committee (LSC) decision for the grant of the original licence on 1 December 2008.
2. The report that went to the LSC which includes the annex of proposed conditions that the decision refers to.
3. The email dated 13 January 2009 with the sound levels with the specified floors. Y

You are advised that if you allow the premises to be used for licensable activities other than in accordance with this licence you may render yourself liable to prosecution. A person found guilty of such an offence is liable to a maximum fine of £20,000 and or 6 months imprisonment.

Should you have any queries on any of the above licensing matters than please do not hesitate to contact us.

Yours faithfully,

Katie Tomashevski
Licensing Officer

If you would like this document in large print or Braille, audiotape or in another language, please telephone 020 7527 2000.

FLORAL, 58 OLD STREET, LONDON, EC1V 9AJ
APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003
(Item B3)

1. The Licensing Officer reported that following the issue of a statement of intent by the applicant, two representations had been withdrawn. The proposed Police, Health and Safety and Noise conditions had been agreed by the applicant. The Licensing Officer was satisfied that the current and previous management were not connected.
2. [REDACTED] and Councillor Donna Boffa representing local residents, spoke against the application. Residents raised concerns regarding the previous management history and the longer hours of operation. They requested that the conditions proposed by Wenlake resident association be agreed.
3. James Rankin, solicitor, and the premises supervisor, Blanche Leeding, spoke in favour of the application. Following concerns raised by residents regarding the name of the premises, the applicant informed the Sub-Committee that signs displaying Ghetto would be removed and also the conditions as proposed by the Wenlake resident association were agreed wherever possible. The Sub-Committee noted that the application was for on sales only.

RESOLVED

- a) That having considered all the oral and written evidence and having given consideration to the Licensing Act 2003 and its regulations, the national guidance and the Council's licensing policy, the application for a new Premises Licence in respect of Floral, 58 Old Street, London, EC1V 9AJ be granted to allow:
 - i) The provision of films, live music, recorded music, performance of dance, anything similar to that falling within paragraphs e, f and g of the application, facilities for making music, facilities for dancing, anything similar to that falling within i and j of the application and the sale of alcohol on sales only from 09:00 until 03:00 Monday to Thursday, 09:00 until 05:00 Friday and Saturday and from 09:00 until 02:00 on Sundays.
 - i) The provision of late night refreshment from 23:00 until 03:00 Monday to Thursday, from 23:00 until 05:00 Friday and Saturday and from 23:00 until 02:00 Sunday.
 - ii) To allow all licensable activities for an additional hour for Christmas Eve, Boxing Day and on Sunday prior to a Bank Holiday Monday.
 - iii) To allow all licensable activities throughout the night until the start of permitted hours on New Years Day.
- b) That the conditions as outlined in appendix 4 as detailed on page 167 of the agenda be agreed, subject to the following amended/additional conditions:

Condition 27 be amended to read. When alcohol and/or public entertainment is provided by way of music and dancing and continues past 2 am, then SIA registered door supervisors will be employed from 9 pm until one hour after closing time at the rate of one door supervisor for every one hundred customers.

Additional conditions as follows:

1. Security staff to organise people queuing outside to minimise noise and any disturbances.
2. Double exit doors to be kept closed at all times including times of hot weather.
3. Clients from Floral should not be permitted to take their drinks outside when they go out to smoke.
4. Security staff should stay on for at least an hour after closing time.
5. The licensee to use best endeavours to ensure clients wait inside the premises for their taxis to arrive.
6. That management will attend quarterly meetings of Wenlake and Stafford Cripps residents associations.
7. There be a notice displayed, viewable from the outside of the premises, with a management contact telephone number in case of residents concerns.
8. There be a sign displayed on the premises reminding clientele to visit the toilet before leaving.
9. There shall be signs displayed on the premises reminding clients to leave quietly.
10. Signage displaying the name Ghetto and Trash Palace be removed and replaced with Floral.

REASONS FOR DECISION

The Sub-Committee considered the submissions put forward by the responsible authorities, the interested parties and the applicant and have balanced the conflicting needs of residents and the business interests of the applicant.

The Sub-Committee noted that the applicant had accepted the conditions put forward by the responsible authorities.

In reaching their decision, the Sub-Committee took into particular consideration Licensing policy 019 regarding the location of the premises, character of the area, views of the interested parties and the proposed hours of operation. The Sub-Committee decided to grant the hours sought because they were satisfied that the statement of intent submitted by the applicant would meet the licensing objectives and a high standard of management would be provided at the premises. The Sub-Committee also noted the extensive acoustic works undertaken at the premises and the commitment of the new management to working with residents.

The Sub-Committee amended Condition 27 (as agreed with the Police) so that SIA door supervisors would be employed for one hour after closing time. This was the condition agreed by the applicant at the residents' association meeting.

The Sub-Committee were satisfied that with the conditions detailed in Appendix 4 on page 167 of the agenda, with the amendment/additions detailed above, the licensing objectives would be promoted.



Report of: Assistant Director Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub Committee	01 December 2008		Bunhill

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

Subject: PREMISES LICENCE NEW APPLICATION
RE: FLORAL, 58 OLD STREET, LONDON EC1V 9AJ

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:

- i) The provision of films, live music, recorded music, performance of dance, anything similar to that falling within (e)(f)&(g), facilities for making music, facilities for dancing, anything similar to that falling within (i)&(j) and the sale of alcohol from 09.00 until 03.00 the days following Monday to Thursday, from 09.00 until 05.00 the days following Friday and Saturday and from 09.00 until 02.00 the day following Sunday.
- ii) The provision of late night refreshment from 23.00 until 03.00 the days following Monday to Thursday, from 23.00 until 05.00 the days following Friday and Saturday and from 23.00 until 02.00 the day following Sunday.
- iii) For an additional hour for Christmas Eve, Boxing Day and on Sunday's prior to a Bank Holiday Monday.
- iv) To allow all licensable activities throughout the night until the start of permitted hours on New Years Day.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 34 of the Licensing Act 2003.
- 2.2 If the Committee grants the application it should be subject to:
- i. Conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 4);
 - ii. Conditions recommended by responsible Authorities (see appendix 4);
 - iii. Any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

- 3.1 The premises previously held a premises licence which allowed them the following:-
- provision of live music, recorded music, performance of dance, facilities for making music and facilities for dancing from 09.00 until 01.00 the days following Monday to Thursday, from 09.00 until 03.00 the days following Friday and Saturday and from 09.00 until 00.00
 - provision of late night refreshment from 23.00 until 02.30 the days following Monday to Saturday and from 23.00 until 00.30 the day following Sunday.
 - the sale of alcohol from 10.00 until 02.00 the days following Monday to Saturday and from 12.00 until 00.00 on Sunday.
 - New Year's Eve, except on a Sunday, 10.00 until the time authorised on the following day. New Year's Eve on a Sunday, 12.00 to until the time authorised on the following day. If there are no permitted hours on the following day, midnight on 31 December
 - The morning on which summer time begins the sale of alcohol is authorised until 03.00 hours
 - Sundays immediately before a bank holiday, other than Easter Sunday, the sale of alcohol is authorised to 02.00 hours
- 3.2 In March 2007, an application for a review of the premises licence was made by the Metropolitan Police. The grounds of the review were the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.
- 3.3 Members of the Licensing Committee heard the application on 30 May 2007 and decided to suspend the licence for a period of 3 months or until such time as the premises could comply with the additional conditions suggested by the Police and attached to the premises licence by Members of the Licensing Committee.
- 3.4 Papers are attached as follows:-
- | | |
|-------------|---|
| Appendix 1: | Application form; |
| Appendix 2: | Representations; |
| Appendix 3: | Previous Premises Licence |
| Appendix 4: | Suggested conditions and map of premise location. |

4. Conclusion and reasons for recommendations

- 4.1 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 necessary 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

Assistant Director – Public Protection

Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Carol Jones

Tel: 020 7527 3052

Fax: 020 7527 3057

E-mail: carol.jones@islington.gov.uk

Appendix 4

Suggested conditions of approval consistent with the operating schedule

1. Polycarbonate drinking vessels only to be used after 2200 hours and the glass bottles to be decanted into polycarbonate prior to service after 2200 hours.
2. No admissions or re-admissions after 1 hour before the cessation of entertainment unless persons leave to smoke in the designated smoking area.
3. A minimum of 2 door supervisors will be employed from 2200 hours until half an hour after closing.
4. Everyone entering, including re-admissions, to be searched, including using a hand held metal detector.
5. Signage warning people that they will be searched will be prominently displayed at the entrance.
6. The venue will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. The CCTV system shall continually record whilst the venue is open for licensable activities for a period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
7. There will be a Personal Licence Holder at the premises whenever they are open.
8. Metropolitan Police risk assessment form 696 will be submitted 14 days in advance of any new promoter at the premises with a post event 696A submitted immediately afterwards in accordance with the requirements set out by Clubs and Vice Division (CO14) of the Metropolitan Police.
9. Security staff to patrol the vicinity encouraging patrons to disperse quietly.
10. All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
11. The entertainment noise control system controls are to be kept in a secure, lockable cupboard or similar location. The entertainment noise control system is to be completely independent of control by persons other than the licensee. Access to the entertainment noise control system control is to be restricted to the Licensee or designated manager.
12. The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.

13. The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures to prevent persons in the neighbourhood from being unreasonably disturbed by noise of regulated entertainment and patrons from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.
14. Adopt a policy where the door supervisors ensure that the inner door is shut before the outer one is opened. This means that main doors are kept closed (not held open by doormen) to avoid outbreak when inner doors opened to dance floor areas.
15. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly and quickly. Staff and security shall also supervise persons leaving the premises after entertainment has taken place and where necessary, request that persons leaving the premises do so in an orderly manner as quickly as possible.

Suggested conditions of approval recommended by the Health and Safety Officer - Agreed

16. The premises shall be constructed and maintained in accordance with the Technical Standards for Places of Entertainment.
17. The maximum number of persons accommodated at any one time in the premises shall not exceed the number agreed with the responsible authority for health and safety.

Note: This figure will be subject to:

- (i) Width, number and location of the exits.
- (ii) Floor area.
- (iii) Ventilation.
- (iv) Sanitary facilities.

18. The premises shall not be used under the licence until the arrangements at the premises are suitable and sufficient for health & safety and have been approved in writing by the responsible authority for health and safety.

Suggested conditions of approval recommended by the Noise Team - Agreed

19. The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.
20. The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months.

21. The licensee shall employ a dedicated cab company and devise a system for collection of customers that will minimise disturbance to local residents.
22. There shall be no drinking allowed outside the venue.
23. Provide an acoustic survey, carried out by an acoustic consultant registered with either the Institute of Acoustics or the Association of Noise Consultants on the existing or any new fixed plant and machinery.
24. The existing or installation of new items of fixed plant shall be such that, when operating, the noise level $L_{Aeq T_r}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level $L_{AF90 T_{bg}}$.
25. The reference time interval T_r shall be 1 hour during the day (07.00 to 23.00 hours) and 5 minutes during the night (23.00 to 07.00 hours). The measurement and/or prediction of the noise should be carried out in line with BS 4142: 1997 and as such, may make use of measurements over a shorter period if appropriate. For the background noise measurement, the reference time interval T_{bg} shall not be less than 15 minutes and the measurements made in accordance with BS 4142: 1997 at a time representative of the hours of operation of the plant. The "Fast" time weighting should be used.
26. The measurements should be reported as façade noise levels. If it is not possible to measure at 1m from a façade, the measurement can be made at an equivalent free-field position with a +3dB correction added to calculate the equivalent façade level. The report shall be submitted to the Council's Noise Team for approval and any works identified to prevent the likelihood of noise nuisance shall be carried out prior to the business being open for licensable activities.

Suggested conditions of approval recommended by the Police - Agreed

27. When alcohol and/or public entertainment is provided by way of music and dancing and continues past 2 am, then SIA registered door supervisors will be employed from 9 pm until 30 minutes after closing time at the rate of one door supervisor for every one hundred customers.
28. CCTV shall be installed, operated and maintained inside and outside the premises in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. A working copy shall be supplied free of charge to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request. It is the responsibility of the premise to download any recording requests.
29. Premises to adopt BII Challenge 21 The National Proof Of Age Standards Scheme.

Jones, Carol

From: Brothers, Anne
Sent: 13 January 2009 11:18
To: Jones, Carol
Subject: RE: Floral

Carol.

Note: We got a noise complaint about this yesterday. Will there be a noise condition that if the council deem it necessary we may adjust the sound levels?

I tried pasting the levels from the report but it won't transfer so therefore I have copied them below:

Ground Floor

A	L	63Hz	125Hz
93	103	95	93

First Floor

89	98	92	89
----	----	----	----

Also include the monitoring points as stated below:

Measurements were obtained in the centre of each of the rooms using a spatial sweep over a duration of 60 seconds to account for potential low frequency measurement error.

OK?



Anne Brothers
Principal Technical Officer
Public Protection
Islington Council
3rd Floor 222 Upper Street, London N1 1XR
Tel : 020 7527 3047 Fax: 020 7527 3057
Alternative contact: Licensing Support Team; 020 7527 3031

www.islington.gov.uk

How to get here:

<http://www.islington.gov.uk.uk/contact/visitingoffices/222upperst.asp>

The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this E-Mail and your reply cannot be guaranteed.

The information in this message is confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by any other person is not permitted. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

Annex: 2



Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

Decco London Ltd



This matter is being dealt with by:
Katie Tomashevski

T 020 7527 3882
F 020 7527 3057
E katie.tomashevski@islington.gov.uk
W www.islington.gov.uk

Our ref: WK/160028087
Your ref:

Date: 11 November 2016

Dear Sirs

LICENSING ACT 2003 - WARNING LETTER

NOMAD, 58 OLD STREET, LONDON EC1V 9AJ

I am writing to you, as the licensee for the above premises, regarding the visit made to the premises 8 October 2016 at 01:35 where they found the premises open and using the premises licence. During the first visit the Licensing Officers spoke to John Burkes the sole director of Decco London Ltd.

The visit was prompted by complaints about noise outside the venue. Upon arrival the officers could hear music from across the pavement on the opposite side of Golden Lane. Officers discussed the noise complaint with Mr Burkes who pointed out an administrative error on the licence. An amended licence has now been issued.

The main issue that I would like to bring to your attention is that you have been written to on a number of occasions by the Pollution Team requesting a calibration certificate as set out in Annex 2 Condition 21. I enclose copies of letters sent to you on 19 December 2012, 7 January 2013 and most recently 7 September 2016. No calibration certificate has been received since 18 January 2011. A calibration certificate must be produced and submitted to the Licensing Authority every 12 months.

The amended licence will enable your acoustic consultant to now produce a calibration certificate. During the visit on the 8 October you made officers aware that you knew about the administrative error regarding the floors and the sound levels on the licence (Annex 2 Conditions 19 and 20). We are concerned that you have been aware of a problem with the premises licence and have never contacted the Licensing Authority regarding it. In fact, you were asked by Licensing Officers on 8 October to contact them about the administrative error on the licence and you never did.

Please supply the requested documents and then send to this office by midday Wednesday, 16 November. The calibration certificate shall contain the following information:

- I. Date of calibration.
- II. Make and model of the limiter installed.
- III. Make and model of amplifier/sound distribution system.
- IV. Serial number of the limiter.
- V. Location of the limiter and floor plan showing location of speakers.

- VI. Specified maximum sound levels with one minute Leqs at the Linear, "A" weighted, 63 and 125 Hz frequencies.
- VII. Details of the measurement point.
- VIII. Details of the security arrangements for the limiter and other components.
- IX. Details of the sound level meter used during recalibration.
- X. Calibration details for the sound level meter used.
- XI. Name and contact details of acoustician.

You should note that following this unsatisfactory visit you should expect the premises to be visited again.

Should you have any queries on any of the above licensing matters than please do not hesitate to contact us.

Yours sincerely



Katie Tomashevski
Licensing Officer



ISLINGTON

Pollution Team
222 Upper Street
London N1 1XR

T 020 7527 3047

F 020 7527 3059

E anne.brothers@islington.gov.uk

W www.islington.gov.uk

Our ref: abr/160027463

Your ref:

Decco London Limited

This matter is being dealt with by:
Anne Brothers

Date: 7 September 2016

Dear Sir

**ALLEGED NOISE NUISANCE FROM AMPLIFIED SOUND AND CUSTOMER NOISE
OUTSIDE. NOMAD, 58 OLD STREET LONDON EC1V 9AJ. ENVIRONMENTAL
PROTECTION ACT 1990. LICENSING ACT 2003.**

We are in receipt of a call from a local resident in connection with the above matters. The resident states:

"Significant level of music noise coming from Nomad nightclub located on the corner of Golden Lane & Old Street. The music is very loud & can be heard inside my flat (which overlooks Golden Lane) at 11.50pm on Saturday evening (3/9/16). It's not just noise, I can identify the bass & treble sounds! On Friday eve (2/9/16) - there was significant music noise also. Later at approx 2am a large group (approx 25) people left the club and proceeded to remain outside the club on Golden Lane, talking loudly, sounding car horns & playing music for approx 30mins."

There are conditions on the premises licence for Nomad as follows:

- All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
- The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
- The premises shall adopt a policy where the door supervisors ensure that the inner door is shut before the outer one is opened. This means that main doors are kept closed (not held open by doormen) to avoid outbreak when inner doors opened to dance floor areas.
- The maximum noise levels for amplified sound in the basement, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

L _{Aeq} (1min)	L _{eq} (1min)	L _{eq} (1min) at 63Hz	L _{eq} (1min) at 125Hz
93dB	103dB	95dB	93dB

- The maximum noise levels for amplified sound on the raised ground floor, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

- The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months.
- The licensee shall employ a dedicated cab company and devise a system for collection of customers that will minimise disturbance to local residents.
- Security staff should stay on for at least an hour after closing time.
- The licensee to use best endeavours to ensure clients wait inside the premises for their taxis to arrive.

I have checked our files and we have not had a calibration certificate from you for some considerable time, therefore please contact your acoustic consultant and check the sound systems and produce a calibration certificate for the files here. Please get the calibration certificate to me within two weeks of the date of this letter.

The calibration certificate should contain the following information:

Date of calibration.

Make and model of the limiter installed.

Make and model of amplifier/sound distribution system.

Serial number of the limiter.

Location of the limiter and floor plan showing location of speakers.

Specified maximum sound levels with one minute Leqs at the Linear, "A" weighted, 63 and 125 Hz frequencies.

Details of the measurement point.

Details of the security arrangements for the limiter and other components.

Details of the sound level meter used during recalibration.

Calibration details for the sound level meter used.

Name and contact details of acoustician.

In addition, please ensure your customers disperse promptly and quietly at the end of trading and any customers outside in the smoking area during trading are considerate to residential neighbours and are not permitted to be noisy.

We look forward to your co-operation in this matter but we must warn that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance.

Yours faithfully,

Anne Brothers

Anne Brothers

Principal Technical Officer

cc. Benjamin S James-Winston, DPS, 



Decco Limited
[Redacted]

Noise Patrol Team
222 Upper Street
London N1 1XR

T 020 7527 3047
F 020 7527 3059
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

Our ref: abr/121369808
Your ref:

This matter is being dealt with by:
Anne Brothers

Date: 7 January 2013

Dear Sir

ALLEGED NOISE NUISANCE, NOMAD, 58 OLD STREET, EC1V 9AJ. ENVIRONMENTAL PROTECTION ACT 1990, LICENSING ACT 2003

I refer you to my letter sent on 19 December 2012. I enclose a copy of the letter for your ease of reference. To date I have not received a reply.
Please respond upon receipt of this reminder.

I have to warn you that if I do not hear from you I may serve a Section 80 noise abatement notice under the provisions of the Environmental Protection Act 1990 on grounds that I am satisfied of the likelihood of a noise nuisance.
In the continued absence of the requested calibration certificate we may also consider making an application for a review of the premises licence. Both courses of action could have serious implications for your business.

Yours sincerely,

Anne Brothers
Principal Technical Officer
cc. Louise Norris, Noise Patrol Manager
Licensing
Robert H L Harrod-Green, DPS, [Redacted]
Steve Burkes via e mail [Redacted]

Public Protection Division
222 Upper Street
London N1 1XR

T 020 7527 3047
F 020 7527 3057
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

Our ref: WK/121369808
Your ref:

Date: 19 December 2012

Decco Limited



This matter is being dealt with by:
Anne Brothers

Dear Sir/Madam

ENVIRONMENTAL PROTECTION ACT 1990, LICENSING ACT 2003
PREMISES: NOMAD CLUB, 58 OLD STREET, ISLINGTON, LONDON, EC1V 9AJ

I am writing following a visit to the above premises to investigate a noise complaint. I visited the premises in the early hours of December 16 at 00:15 and again at 01:50.

We were called by a local resident who alleged noise nuisance from the playing of loud music at the premises. On approach I noted that I could hear the music from Nomad from some considerable distance away.

There are noise conditions on the premises licence for Nomad as follows:

- All amplified sound played on the premises shall be subject to the control of entertainment noise control systems (noise limiters) and set to the council's Noise Team satisfaction.
- The entertainment noise control system settings are not to be varied so that the music noise levels described above are exceeded without the written approval of the Council.
- The maximum noise levels for amplified sound in the basement, when measured from the centre of the ground floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
93dB	103dB	95dB	93dB

- The maximum noise levels for amplified sound on the raised ground floor, when measured from the centre of the first floor using a spatial sweep shall not exceed the following:-

LAeq(1min)	Leq(1min)	Leq(1min) at 63Hz	Leq(1min) at 125Hz
89dB	98dB	92dB	89dB

- The licensee shall ensure that the limiters are maintained and calibrated as instructed by the Acoustic Consultant, and the calibration certificates shall be submitted to the Council as every 12 months.

The most recent calibration certificate that I can find on file is dated January 2011 and there is a note that calibration certificate was rejected as inadequate.

During the visit on 16 December I spoke to Steve Burkes at the premises and I measured sound levels on both the ground and first floors using a spatial sweep as follows:

Table 1

Ref GF	Linear	"A"	125 Hz	63 Hz
1	112.5	102.4	98.2	111.6
2	108.8	100.8	99.7	106.6
3	113.4	101.2	97.8	112.7
4	108.1	100.3	98.3	106.0
5	106.3	101.0	97.5	102.0
Licence levels	103	93	93	95

Table 2

Ref 1F	Linear	"A"	125 Hz	63 Hz
7	108.8	97.5	104.4	105.6
8	110.9	99.9	104.3	109.0
9	109.5	96.5	103.1	107.6
Licence levels	98	89	89	92

I discussed the excess volume measured on both floors with Steve Burkes and he reduced the volume and I measured again on the ground floor as follows:

Table 3

Ref again	GF	Linear	"A"	125 Hz	63 Hz
11		102.3	94.1	89.3	100.3
Licence levels		103	93	93	95

We agreed the second set of measurements on the ground floor in Table 3 above were more in line with the levels agreed and quoted on the premises licence and I agreed to leave it at that for the night. I told Steve Burkes he should contact your acoustic consultant and he should produce a calibration certificate to certify that the sound levels quoted on the premises licence will not be exceeded. Steve Burkes agreed to contact the acoustic consultant the following day and copy me to the correspondence so I may inform the acoustic consultant of the excess levels measured. I have not received any e mail from Steve Burkes.

We were called back to the premises later and I re-visited at 01:50. Again, the music noise could be heard from some distance away and it was clear the volume had been increased again. I spoke to Steve Burkes again outside the premises and requested the levels be reduced.

Please inform me within the next 7 working days of what action you propose to take in order to prevent public nuisance from the premises. As discussed with Steve Burkes on the night as the sound levels measured were significantly in excess of the maximum music volumes quoted on the premises licence we expect you to immediately commission a recalibration of the sound systems in use at the premises and produce a calibration certificate from your accredited acoustic consultant.

A calibration certificate should include the following details:

Date of calibration.

Make and model of the limiter installed.

Make and model of amplifier/sound distribution system.

Serial number of the limiter.

Location of the limiter and floor plan showing location of speakers.

Specified maximum sound levels with one minute Leqs at the Linear, "A" weighted, 63 and 125 Hz frequencies.

Details of the measurement point.

Details of the security arrangements for the limiter and other components.

Details of the sound level meter used during recalibration.

Calibration details for the sound level meter used.

Name and contact details of acoustician.

If the noise is witnessed again and the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000.

In addition to the above action, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance. In the meantime and until the limiters are recalibrated we expect you to operate at reduced sound levels.

If you have any queries regarding this matter, please contact me at the above office

Yours sincerely

Anne Brothers

Anne Brothers

PRINCIPAL TECHNICAL OFFICER - NOISE LIAISON

cc Louise Norris, Noise Patrol Manager
Licensing

Robert H L Harrod-Green, DPS, [REDACTED]

Steve Burkes via e mail: [REDACTED]

Annex:3



Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

Decco London Ltd



This matter is being dealt with by:
Katie Tomashevski

T 020 7527 3882
F 020 7527 3057
E katie.tomashevski@islington.gov.uk
W www.islington.gov.uk

Our ref: WK/160028087
Your ref:

Date: 28 November 2016

Dear Sirs

LICENSING ACT 2003 - WARNING LETTER

NOMAD, 58 OLD STREET, LONDON EC1V 9AJ

I am writing to you, as the licensee for the above premises, regarding the visit made to the premises 19 November 2016 at 00:15 where they found the premises open and using the premises licence. During the first visit the Licensing Officers spoke to John Burkes the sole director of Decco London Ltd and the DPS Benjamin James-Winston.

During the visit the following issues were discussed:

1. Officers observed the premises from across Old Street to observe the searching procedures. It was noted that a hand led metal detector was not being used to search people and customers were given a basic pat down by door supervisors. This is contrary to Annex 2 Condition 8 of the premises licence.
2. A number of fire extinguishers set out in the premises had not been serviced since 2009 and they were not mounted on the wall. Some of your emergency fire exit signs were blocked with ladders and marked fire doors with signs that they must be kept closed were propped open. These are breaches of Annex 2 Condition 1 of the premises licence.
3. No one could operate the CCTV to show officers that the system was actually recording. It was also noted that the time showing on the monitor was an hour behind. A request for a copy of CCTV from 29 October from 23:00 to midnight on a DVD to be delivered to the Licensing office by midday on Monday 21 November. No CCTV footage has been received.
4. Officers observed part of your sound system in the basement but were unable to say if there was a sound limited as required by Annex 2 Condition 15. You are reminded that the Licensing authority are still waiting for a calibration certificate as required by Annex 2 Condition 21 of the premises licence. This is now a matter of urgency and has been requested by officers four times.
5. When officers arrived they observed a sign that said "Road Closed" and traffic cones placed on Honduras Street. You were advised that you did not have the authority to close the street and asked to remove obstructions.

As a result of this unsatisfactory visit I request the following:

1. A copy of your fire risk assessment which should include: fire extinguisher servicing certificate, emergency lighting testing certificate and the fire detection and alarm servicing certificate.
2. A calibration certificate as required by Annex 2 Condition 21 of the premises licence.
3. A DVD copy of the requested CCTV from 29 October 2015 from 23:00 to midnight.

Please supply the requested documents and bring them to this office for your meeting with the Licensing Officer Panel at midday Wednesday, 30 November.

You should note that following this unsatisfactory visit you should expect the premises to be visited again.

Should you have any queries on any of the above licensing matters than please do not hesitate to contact us.

Yours sincerely



Katie Tomashevski
Licensing Officer

Annex: 4



ISLINGTON

Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

T 020 7527 3233
F 020 7527 3430
E terrie.lane@islington.gov.uk
W www.islington.gov.uk

Our ref: ppd/lic/tl

Your ref:

Decco London Ltd

This matter is being dealt with by:
Terrie Lane

6 December 2016

Dear Sirs,

LICENSING OFFICER PANEL – 30 NOVEMBER 2016

RE: NOMAD CLUB LONDON 58 OLD STREET LONDON EC1V 9AJ

Thank you for attending the officer panel 30 November 2016.

You met with Jan Hart Service Director, PC Peter Conisbee and Terrie lane, Licensing Manager.

The following are the notes of the meeting:

Nomad Club, Steve Burkes, Operations Manager, Gareth Hughes, Solicitor

JH opened the meeting by explaining that this was an informal and open discussion whereby licensees are asked to come in when any problems are identified in the hope that a serious enforcement issue will not have to take place. She added that she hopes everyone present can agree on steps to be taken to resolve the issues.

JH: We have asked you to come in today after our visit on 19 November. Katie did send out a letter to you but not until Monday, though she emailed it too. A number of issues arose from our visit.

SB: Yes, I received Katie's letter.

JH: We would like to run through the issues on the letter.

SB: I've run through this with GH and would like to make the following comments.

SB: No. 1 searching procedures. We have hand-held metal detectors given to staff at every shift. I have asked managers to bring this to task now after Katie's visit. I am moving a camera down to my front lobby to witness the searches myself. We do a proper rub down and not a basic pat down as Katie states. We search for knives, right down to the ankle as well as the metal detector, although on this occasion it wasn't done. I have been using Martin (doorman) for 12 years.

JH: We want to see a positive tie up from your management side with the security side.

SB: At the end of that evening I brought all the staff together and it was dealt with. I hold staff briefings before every shift too.

SB: No. 2 fire extinguishers out of date. I have company who come every year to do my compliance testing. The extinguishers were colour tagged with this year's colour but the assessor had not written them up. I take full responsibility for not checking the PAT testing when it was done. We use AML Fire Security.

JH: What about the fire exit?

SB: From the 1st floor down through to the emergency spiral staircase there was a ladder which has since been removed.

SB: No. 3 CCTV recovery has never been a problem before. I get lots of visits from the police. However, it was brought to my attention that I must provide this when asked immediately. I couldn't do this as my CCTV officer was away on holiday. Three of my staff are now fully trained on CCTV recovery and can provide this at any time when the premises are open.

PC: There was a recent incident outside the kebab shop a few weeks ago.

SB: One of your colleagues called me and we are in the process of getting the footage for you.

PC: It would have been handy to have had it at that time. I would like you to update your licence with this new CCTV condition and make sure someone will be available on site to provide CCTV recovery.

SB: I'm quite happy with that.

SB: This is for Katie; it is an hour of cctv footage from Halloween. Handed over to JH.

JH: What about the time on the monitor being an hour behind?

SB: Katie came round a week after Halloween and we hadn't put the clocks back one hour. So the time on that recording that I have given you is correct. The CCTV the next day the times were put back. It's a coincidence you want CCTV footage from the same night. Your times will be an hour out as the evidence is from 3:15am – 4:30am but this is noted.

SB: Sound system, we do have a limiter on-board. Can I put the limiter as a separate issue and come back to it? The road closure - obviously I had complaints from the neighbours about people loitering and I have to give them a good night's sleep. I have people who park up and play loud music. On one occasion some people couldn't get in and it was 4/5 people in a car in Honduras Street. So I asked security to move them on. They weren't happy as they pay their licence fee too. Once they reluctantly moved the damage was already done with my neighbours. So I blocked off Honduras Street but was told that only the council can do this and I have since removed the blockade. Although security do patrol the block I station someone there permanently on Honduras Street. I know there's a new family with two children who have moved in now.

JH: We understand that but obviously we cannot allow you to close the road off.

SB: My neighbours are still talking to me after six years. We all remain proactive throughout the entire event. You're only as good as your last gig.

JH: What about your sound system, limiter and the outstanding calibration certificate.

SB: There was an administration error on our licence before. The calibration certificate was issued to Floral in 2009 and quite a lot has happened to 59 Old Street in that time, with sound proofing, the whole dynamics of the premises has changed, the sound system changed and recalibration of our building.

JH: We'll arrange for the Noise Team to visit you and monitor it. You need to first obtain an acoustic report.

SB: I'll use Richard Vivian asap. In my defence, since our last meeting in 2013 with Anne Brothers, until today we have been self-monitoring. I know it's not ideal but it has got us to where we are today. I think you guys gave us rope to hang ourselves and I think we have proved that we can run a club in a residential area and we are proactive and try our best.

JH: We will look at your acoustic report and then arrange revisits. We can also monitor inside the neighbours' properties to check the sound levels.

SB: That's fine. I believe the original complaint was from Golden Lane.

JH: Once you have it calibrated you need to ensure the equipment is working correctly.

TL: So send your acoustic report to Anne Brothers when ready. She has been asking for the report for quite some time.

JH: With regards to the fire risk assessment.

SB: It has always been there and kept up to date as a log book. Katie never asked to see it on the day.

JH: The overriding thing is what are you going to do so these things don't happen again.

TL: There was also another complaint about people leaving the club.

SB: Where our business is increasing, we're fully aware that you can control some aspects outside but you can't 100% control a crowd. Our cab pick-ups, this scenario has changed dramatically now as very few people call for a cab as they're all using Uber. I now have to move people across the road under the City Print shop front so the neighbours aren't disturbed. I do security one per 50 until every single client has dispersed.

TL: Have you met with residents? Do you have quarterly meetings with the two resident groups on your licence? You need to look at the conditions on your licence. If there are some that aren't applicable anymore you can remove them.

JH: If there are any that you are not doing you should update your licence.

SB: I don't go to meetings but I have a close relationship with my neighbours.

TL: This condition refers to when the premises was called Ghetto and then Trash Palace. You need to tidy up the licence conditions and you can do that through minor variations.

JH: If you have problematic clients you can ring the LNL Team.

SB: They love us as we don't give them any grief. The Met Police, the City Police and LNL all have good relationships with me. You know what I inherited there, a whole bag of worms.

GH: In terms of removing the regular meetings with residents' condition, will that upset our relationship with the council and residents?

TL: No as you don't go to the meetings anyway.

SB: I am happy to go to any meeting. I see Judith every week and Mencap too. We're all part of the community.

PC: The fight outside the kebab shop. The report says outside the venue and it says your venue. It's worded in such a way that it was your customers. Going through your licence there was no loss of evidence as the fight was still taking place when the police arrived at the scene and they managed it. Have your staff had any crime preservation training?

SB: No.

PC: I will come and give some quick training to your staff. PC to arrange a visit.

SB: Yes, I am happy for you to do this.

PC hands over the cctv condition.

PC: I would be happy if you added this condition to the licence though we've not had a problem before.

SB: It's common sense. Your police sergeant who attended praised our team.

PC: I'll pop down to see you and we'll arrange a date via email. Steve@nomad.com

JH: So we have agreed on:

- 1) The noise limiter calibration. You will employ your acoustic consultant to carry out a survey and prepare a report. Send it to us for Anne Brothers and she will arrange for testing and the levels can be set. Calibration must be carried out every year and report sent to us.
- 2) PC Conisbee will visit for crime preservation training and will email the minor variation to you and hopefully it can be sorted out after Christmas.
- 3) Ensure your CCTV is in full working order by checking it regularly and staff know how to use it.
- 4) Ensure security staff are fully briefed for each shift, especially on how to control customers outside of the premises.

SB: I run everything from my office. I am anal about how things are done. In our defence is our track record.

JH: Yes, and we want to keep it improving and not go back.

GH: What will be your view if minor variations go in and a few residents complain? Would you maintain the line that it is a minor variation?

TL: If you're just removing conditions which are no longer relevant it should be okay.

Please contact me at the above address if you wish to discuss the matter further, or call me on the above telephone number. In my absence please contact the Licensing Duty Line on 020 7527 3031

Yours sincerely

Terrie Lane
LICENSING MANAGER



21 March 2017

Licensing Support Team
Public Protection Division
222 Upper Street
London N1 1RX

Dear Team

REPRESENTATION - NOMAD Club, 58 Old Street, EC1V 9AJ

The Wenlake Management Committee, on behalf of residents of the Estate, first reported to the Council about the disruption and disturbance caused by the club, which has operated under a different names over the years.

There has been little change, and in fact it seems to have got worse, in the behaviour of the clubbers when they leave club late at night, or the early hours. The "supervision" of the clubbers arriving and leaving has never worked.

They often come onto Wenlake Estate where they generally mess around, relieve themselves anywhere, make a noise, and fight. They climb into the children's' play area where they party and play on the play area equipment.

When they finally leave both the children's play area and the Estate, a trail of litter and worse is left behind.

Staff working on the estate are also affected by Nomad client activities. Our Sunday caretaker, employed for just 3 hours to do minor caretaking work, often complains that he has had to work longer than the 3 hours to clear up the mess left behind. This includes washing and disinfecting the areas where there has been urine and/or excrement. He also has his time taken up carrying out extensive litter picking of the grounds and gardens.

Throughout the warmer months especially, the TMO Manager has many residents complaining directly or by phone about how their sleep being disturbed on weekdays and at the weekend.

Yours faithfully

Estate Management by the Residents for the Residents.

Registered under the Industrial and Provident Society Act 1965. Registered Number 288562R.
Vat Number : 761 0789 20

Your Name and Address



Date 3/3/17

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



Your Name and Address—

Date 07/05/17

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes ~~me / us / my family~~. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

~~I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.~~

Yours sincerely

Comment:

I have had to move to sleep in the back bedroom
because of the ^{loud} music from the club, car doors slamming,
loud music from the cars, shouting and screaming. This
has been happening ever since the site was changed
from a pub to a club. There SHOULD NOT be a club
in such close proximity to a residential area. I
have attached the e-mails I have sent to Norse Patrol
over the years.

I have slept in earplugs for many years because of
the noise & music from the club opposite in Wood Street
It ~~inconceivable~~ should have been prevented, because of
the closeness of a Council Estate so close by.

RE: Nomad

2011

Tue 13/09/2011 09:21

To: anne.brothers@islington.gov.uk <anne.brothers@islington.gov.uk>;

Hi Anne,

I hope this message finds you well.

Just as a note for your records, Nomad was playing loud music on Sunday night/Monday morning from about 11:50pm to 12:30am. My mum called it in to the Noise Patrol, call reference [REDACTED]. In these instance, we can't arrange a home visit as I have to go to work the next day.

Many thanks,

> Subject: RE: Nomad
> Date: Thu, 12 May 2011 13:53:57 +0100
> From: Anne.Brothers@islington.gov.uk
> To: [REDACTED]
> CC: Louise.Norris@islington.gov.uk

> Dear [REDACTED]
> I was working on Saturday night but was extraordinarily busy so was
> unable to do a proactive pass-by apart from at 05:00 when I noted the
> club was closing.... sorry I missed it, I will be working again on 21
> May. Please let me know if you would like to arrange a proactive visit
> to your home by arrangement during the shift. It's always a good idea to
> have an arrangement to meet up; otherwise other events coming in on the
> shift can redirect me away from proposed 'pass-bys'
> Your mother cancelled the last arranged visit, so please let me know.
> In the meantime, please continue to call NP when you can if you are
> being disturbed by intrusive noise.

>
> Anne Brothers
> Principal Technical Officer
> Noise Patrol
> Public Protection
> Islington Council
> 3rd Floor 222 Upper Street, London N1 1XR
> Tel : 020 7527 3047 Fax: 020 7527 3057
> Alternative contact: Noise Support Team; 020 7527 3258

> www.islington.gov.uk

> How to get here:

> http: www.islington.gov.uk.uk/contact/visitingoffices/222upperst.asp

> The information contained in this E-Mail may be subject to public
> disclosure under the Freedom of Information Act 2000. Unless the

> information is legally exempt from disclosure, the confidentiality of
> this E-Mail and your reply cannot be guaranteed.
> The information in this message is confidential and may be legally
> privileged.
> It is intended solely for the addressee. Access to this message by any
> other person is not permitted. If you are not the intended recipient,
> any disclosure, copying, distribution or any action taken or omitted to
> be taken in reliance on it, is prohibited and may be unlawful.

> -----Original Message-----

> From: [REDACTED]
> Sent: 09 May 2011 15:21
> To: Brothers, Anne
> Subject: RE: Nomad

> Hi Anne,

> I'm just e-mailing to let you know that after logging a call with the
> Noise Patrol team on Friday night/Saturday morning, two members of the
> team came to visit our flat. Unfortunately the noise level had lessened
> by the time they visited and they were unable to hear the music from my
> bedroom. On Saturday night/Sunday morning, I was awoken at 2am by
> audible music and singing (again, I was able to identify the songs
> sung), but as I was in bed at the time, I was in no mood to get out of
> bed and phone the Noise Patrol team!

> I just wanted to let you know that this is an ongoing issue.

> Many thanks,

> > Subject: RE: Nomad
> > Date: Mon, 4 Apr 2011 12:54:33 +0100
> > From: Anne.Brothers@islington.gov.uk
> > To: [REDACTED]

> > Please send me your phone number and full address details and I will
> > make arrangements to visit you on Saturday night/Sunday morning.
> > At all other times, please call Noise patrol on 020 7527 3229 for a
> > reactive visit.

> > Anne Brothers
> > Principal Technical Officer
> > Noise Patrol
> > Public Protection
> > Islington Council
> > 3rd Floor 222 Upper Street, London N1 1XR
> > Tel : 020 7527 3047 Fax: 020 7527 3057

> > Alternative contact Noise Support Team; 020 7527 3258
> >
> > www.islington.gov.uk
> >
> > How to get here:
> >
> > <http://www.islington.gov.uk.uk/contact/visitingoffices/222upperst.asp>
> >
> > The information contained in this E-Mail may be subject to public
> > disclosure under the Freedom of Information Act 2000. Unless the
> > information is legally exempt from disclosure, the confidentiality of
> > this E-Mail and your reply cannot be guaranteed.
> > The information in this message is confidential and may be legally
> > privileged.
> > It is intended solely for the addressee. Access to this message by any
> > other person is not permitted. If you are not the intended recipient,
> > any disclosure, copying, distribution or any action taken or omitted
> > to
> > be taken in reliance on it, is prohibited and may be unlawful.
> >
> > -----Original Message-----
> > From: [REDACTED]
> > Sent: 04 April 2011 12:47
> > To: Brothers, Anne
> > Cc: [REDACTED] Norris, Louise
> > Subject: RE: Nomad
> >
> > Hi Anne,
> >
> >
> > Thank you for your e-mail.
> >
> > Would I need to arrange a visit from you and call the Noise Patrol
> > team
> > to arrange a visit from them?
> >
> > I'm happy to do both and am available on Saturday night/Sunday morning
> > this coming weekend. I usually notice the noise from 12:30am onwards,
> > so
> > anytime after that would be best. Also, my mother has a recording that
> > she took on the [REDACTED] in the early hours of Sunday morning of
> > Nomad's
> > patrols singing loudly. They were either outside the club at the time
> > or
> > inside with the doors open; either way, the voices were very clear.
> >
> > I look forward to hearing from you.
> >
> > Best wishes,
> >
> > [REDACTED]
> >
> >
> >
> >
> >
> >
> > _____
> >
> > Subject: Nomad
> > Date: Mon, 4 Apr 2011 12:16:11 +0100
> > From: Anne.Brothers@islington.gov.uk

> > To: [REDACTED]
> > CC: Aled.Griffiths@islington.gov.uk; Louise.Norris@islington.gov.uk
> >
> >
> >
> > Dear [REDACTED]
> >
> > Your e mail to noise issues has been forwarded to me for reply. I have
> > recently visited Nomad and measured sound levels and found them to be
> > capable of exceeding the agreed maximum levels. We required them to
> > recalibrate the sound system and I believe the recalibration may still
> > be outstanding. I work proactive noise and licensing shifts on
> > alternate
> > Saturday nights. my next shift will take place this coming weekend. It
> > would be helpful to visit you by appointment at a time when the noise
> > is
> > likely to be at its worst during the shift to witness noise from your
> > perspective. Please contact me if you could be available this coming
> > Saturday night for a visit.
> >
> > In addition, please find attached a booklet "Bothered by Noise"
> > produced
> > by Islington's Noise Team that explains how we deal with reports of
> > unwanted noise received from residents. Please call Noise Patrol (NP)
> > in
> > the event of any intrusive noise to your home. They will need to visit
> > you briefly to experience the noise from your perspective so please
> > call
> > as soon as the noise becomes apparent to you.
> >
> > The reason for this advice is they operate on a strictly "first come -
> > first served" basis so there may be a delay before they can get back
> > to
> > you. In order to progress matters, should the noise recur, please call
> > NP again, this will help us to establish that it is a recurring issue
> > which strengthens the position.
> >
> > In addition, should you decline a visit, you call will be treated as
> > low
> > priority and other visits will be carried out before they visit the
> > area
> > to make any assessment from outside. An external assessment is
> > generally
> > not useful in establishing a noise nuisance.
> >
> > <<Bothered by Noise booklet (new).pdf>>
> >
> > If you have any queries, please contact me at the office below.
> >
> > Anne Brothers
> >
> > Principal Technical Officer
> >
> > Noise Patrol
> >
> > Public Protection
> > Islington Council
> > 3rd Floor 222 Upper Street, London N1 1XR
> > Tel : 020 7527 3047 Fax: 020 7527 3057
> >

> > Alternative contact Noise Support Team; 020 7527 3258

> >

> >

> >

> > www.islington.gov.uk

> >

> >

> >

> > How to get here:

> >

> >

> >

> > <http://www.islington.gov.uk.uk/contact/visitingoffices/222upperst.asp>

> >

> >

> >

> > The information contained in this E-Mail may be subject to public
> > disclosure under the Freedom of Information Act 2000. Unless the
> > information is legally exempt from disclosure, the confidentiality of
> > this E-Mail and your reply cannot be guaranteed.

> >

> > The information in this message is confidential and may be legally
> > privileged.

> > It is intended solely for the addressee. Access to this message by any
> > other person is not permitted. If you are not the intended recipient,
> > any disclosure, copying, distribution or any action taken or omitted
> > to

> > be taken in reliance on it, is prohibited and may be unlawful.

> >

> > From: [REDACTED]

> >

> >

> > Sent: 03 April 2011 10:58

> >

> > To: Issues, Noise

> >

> > Subject: Noise Complaint - Nomad, 58 Old Street EC1V 9AJ

> >

> > Re: Nomad, 58 Old Street EC1V 9AJ

> >

> >

> >

> > Dear Sirs,

> >

> >

> >

> > I am a resident of [REDACTED] For many weeks now I and
> > other residents have been disturbed on a Saturday night/Sunday morning
> > by music coming from the club Nomad, situated on the corner of Old
> > Street and Golden Lane. Last night was particularly noisy; from 2:30am
> > onwards singing was heard until 5am, keeping my mother awake. It was
> > so

> > loud, I could clearly identify some of the songs.

> >

> >

> >

> > Generally, the loud music starts from approximately 12:30am on a
> > Saturday night/Sunday morning. These previous disturbances have been
> > reported to our estate manager, [REDACTED] and she has advised Nomad
> > of the disturbance more than once, but they are still noisy.

Nomad - 58 Old St, EC1V 9AJ

2013

[REDACTED]
Sun 10/02/2013 12:33

To: anne.brothers@islington.gov.uk <anne.brothers@islington.gov.uk>;

Cc: [REDACTED]

Hi Anne,

I hope you're well.

I was wondering if there was any update on Nomad addressing the issues with their sound system? They were especially noisy on Friday night (there was also a large group of people outside blocking the pavement) and the music was also loud again last night.

I look forward to hearing from you.

Best wishes,

[REDACTED]

[REDACTED]

2015

Thu 31/12/2015 12:03

To:licensing@islington.gov.uk <licensing@islington.gov.uk>; Noise.Issues@islington.gov.uk <Noise.Issues@islington.gov.uk>;

Dear Sirs,

Re: [REDACTED]

I am a resident of [REDACTED] and our living room and my bedroom are on the [REDACTED] of [REDACTED] which is [REDACTED]

I am writing to express my concern at the increase in noise and anti-social behaviour as a consequence of [REDACTED]
[REDACTED] This includes:

- - Delivery vans arriving in the early morning and drivers slamming doors without any regard to residents sleeping (my elderly mother who sleeps in the front room is frequently disturbed by this on at least a weekly basis)
- - Late at night, customers who drive park outside Lodos, slam doors, shout, rev their engines and play loud music while sitting in their cars waiting for whoever's gone in to the shop.
- - Saturday nights are especially bad as we already have to contend with loud music and noise from revellers visiting Nomad nightclub (58 Old St, EC1V 9AJ), but selling alcohol late into the night attracts groups of people who visit Lodos first to buy alcohol which they proceed to drink while standing under our living room/bedroom windows.

I believe that [REDACTED] should take more responsibility for the behaviour of their customers but they aren't very interested by the amount of noise they generate.

I would appreciate it if you would consider potentially shortening their opening hours when their licence next comes up for review. Old Street/Central Street is becoming an increasingly developed area with little regard to the fact it is largely residential and we are being affected.

Also, last night [REDACTED] were doing building works overnight, with drilling at 9:15pm, 10:30pm and 12:15am, with hammering during the night. We have had issue with them doing out of hours building works before and they simply don't care.

I would appreciate it if you could look into the above.

Best wishes,

[REDACTED]

RE: [REDACTED]

[REDACTED]
Tue 05/01/2016 14:56

To: Santis, Fanos <fanos.santis@islington.gov.uk>;

Thank you very much for your assistance.

Best wishes,
[REDACTED]

From: Fanos.Santis@islington.gov.uk

To: [REDACTED]

CC: Teresa.Lane@islington.gov.uk; Katie.Tomashevski@islington.gov.uk; Anthony.Baptiste@islington.gov.uk

Subject: [REDACTED]

Date: Tue, 5 Jan 2016 10:32:47 +0000

Dear [REDACTED]

I am sorry to hear about the issues you and your mother are experiencing from the above premises. Unfortunately, the premises has a 24 hour operating licence with no restrictions on waste or delivery collections. However, there are ways of amending the operating licence, including a review of the licence.

Below is a link to apply for a review of the premises licence:

[http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Information/Forms/2014-2015/\(2014-09-25\)-Application-For-Review-Of-Premises-Licence.doc](http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Information/Forms/2014-2015/(2014-09-25)-Application-For-Review-Of-Premises-Licence.doc)

Licences do not automatically come up for a review unless they are applied for and there has to be sufficient evidence for a review to be successful. The Licensing Act 2003 allows for local residents to call for a review of the licence where the local authority are unable to gain sufficient evidence to review the premises licence.

In this particular case, if you can complete the attached diary sheet over the next 2-4 weeks when you are disturbed by the various noises you have described, we may be able to confront the licensee and also conduct visits to the area at the most likely times the events occur, officer time permitting.

With regards to building works, we do have a reactive out of hours noise service that can be called out when the building works start. If this recurs, please call our out of hours team on 0207527 7272 or you can report the incident online:

<http://www.islington.gov.uk/services/policing-safety/crime/antisocial/Pages/default.aspx?extra=8>

The out of hours officers are on duty between 4pm and 2am, Sunday to Thursday, and 5pm to 4am Friday and Saturday.

We will be visiting the business in the near future to discuss the matters you have raised and try and find solutions to those issues.

Regards,

Fanos Santis

Senior Environmental Health Officer,

Public Protection, Pollution Team,

Islington Council, 3rd Floor,

222 Upper Street, London N1 1XR

Tel. 020 7527 3963, email: fanos.santis@islington.gov.uk, www.islington.gov.uk

The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this E-Mail and your reply cannot be guaranteed.

Your Name and Address—

Date 2/3/17

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely

[Redacted signature]

My bedroom and my daughter's bedroom [Redacted]
are on the street side of the [Redacted]. The noise and
swearing of drunk people coming out of the club,
has woken us on many occasions. causing my
daughter distress and being tired for school which
is ultimately affecting her learning.

Your Name and Address

Date 6 March 2017

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



Your Name and Address

Date

9.11.2017

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes ~~me / us / my family~~. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.



Your Name and Address _____

Date 13-03-2017

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / ~~us~~ / ~~my~~ family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely

A black rectangular box redacting the signature of the sender.

Your Name and Address—

Date 04.03.14

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes ~~me~~ / ~~us~~ / my family. Nomad is an annoying intrusion in ~~my~~ / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely

Noise level and sleep disturbance is unacceptable.

I would like to see their licence revoked or at
the very least be made to close at a more reasonable
time in a residential area ie: 11/12 PM.

Your Name and Address

Date 2-3-2017

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely

[REDACTED]

Every time that club opens we in
Wenlake have all the noise and then
vibrating all over the estate and in the
childrens play area; I have seen this as my
[REDACTED] looks over the [REDACTED] when I here the
noise I look over the [REDACTED] and see them

Your Name and Address

Date

4/3/2017

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



Your Name and Address



Date

15/3/2017

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely,



- * Numerous times verbally abused when we complain to drunken people in the Childrens park after the club has closed
- * When people are smoking outside no security tell them to be quiet so always hearing laughing, shouting and screaming all through the night.
- * Worse. in the summer nights as want to open our windows as humid but then kept awake because of the noise of people outside of Club.
- * Personally seen drug dealing on the estate and then the people go back into the club.
- * No ~~consider~~ consideration from Owners, management and staff / security for the people whom reside on the estate.
- * Sick, urine and ~~alger~~ always seen after club night.

Your Name and Address—

Date

2/03/17

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me us my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.


If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



EVERYTIME THERE IS A PARTY AT NOMAD CWS
IS IMPOSSIBLE TO SLEEP, THERE ARE LOT OF
PEOPLE DRUNK SHOUTING OUTSIDE, MOST OF THE
TIME FIGHTING, BECAUSE THEY ARE DRUNK, WE ALSO
HAVE PROBLEM WHEN THE PARTY FINISH BECAUSE
MOST OF THE TIME THEY CARRY THE PARTY IN
OUR WENLAKE AND  AREA. IT'S
ALSO DISGUSTING FIND SICK ~~AB~~ EVERYWHERE
/ WE NEED TO BE CAREFUL WHERE WE STEP.

Your Name and Address

Date 2nd / March / 2017.

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us (my family). Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



* Fights early in the morning between young people, coming out from that Club.

* Not allowing me and my family sleep and rest during the weekend.

Your Name and Address

Date

8/3/17

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes ~~me + us~~ / my family. Nomad is an annoying intrusion in ~~my~~ / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



Your Name and Address—

Date 02/03/2017

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.


If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



Called the club around  and asked them to turn down the music. the request got rejected.

People were shouting and screaming in front of the club. Rubbish, empty bottles left over to the next morning in the area.

Your Name and Address—



Date

8/3/17

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Page 1 of 2

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely

A black rectangular box redacting the signature of the sender.

Your Name and Address



Date



8th March '17

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me / us / my family. Nomad is an annoying intrusion in my / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely

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

Your Name and Address



Date 02/03/2017

Islington Customer Centre
222 Upper Street
London N1 1XR

Dear Islington Council

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

I write to make a representation about the excessive noise disturbance the Nomad club causes me us my family. Nomad is an annoying intrusion ~~in my~~ / our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night up and the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or – come onto Wenlake Estate where they will carry on their partying.

On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

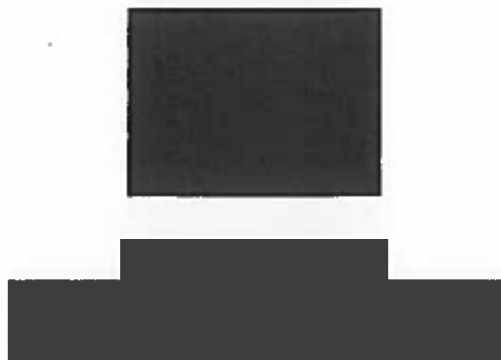
Having looked at the Council's website at www.islington.gov.uk, I see that there are a number of options open to me for example, this review of the premises licence on the grounds of prevention of public nuisance.

I would prefer to see whether an amicable solution could be reached with Nomad and the constant disturbance it has caused to us residents on Wenlake Estate.

Yours sincerely



[Redacted body text]



7 March 2017

Licensing Support Team
Public Protection Division
222 Upper Street
London N1 1RX

Dear Licensing Support Team

Premises: - Nomad Club, 58 Old Street, EC1V 9AJ

We write to make a representation about the excessive noise disturbance the Nomad club causes us. Nomad is an annoying intrusion in our life and affects the enjoyment of our home.

Although it opens in the afternoon, the noise nuisance really starts when people queue up outside from around 7 pm. It then goes on throughout the night to the latest, 5 am, as clubbers come and go or stand around outside to smoke.

The pounding music seems to thump right through the walls of our block of flats. When the club closes, the clubbers spill out onto the street shouting and yelling, and laughing loudly. Some will then hang around on both sides of Old Street waiting for cars to pick them up, or come onto Wenlake Estate where they will carry on their partying.

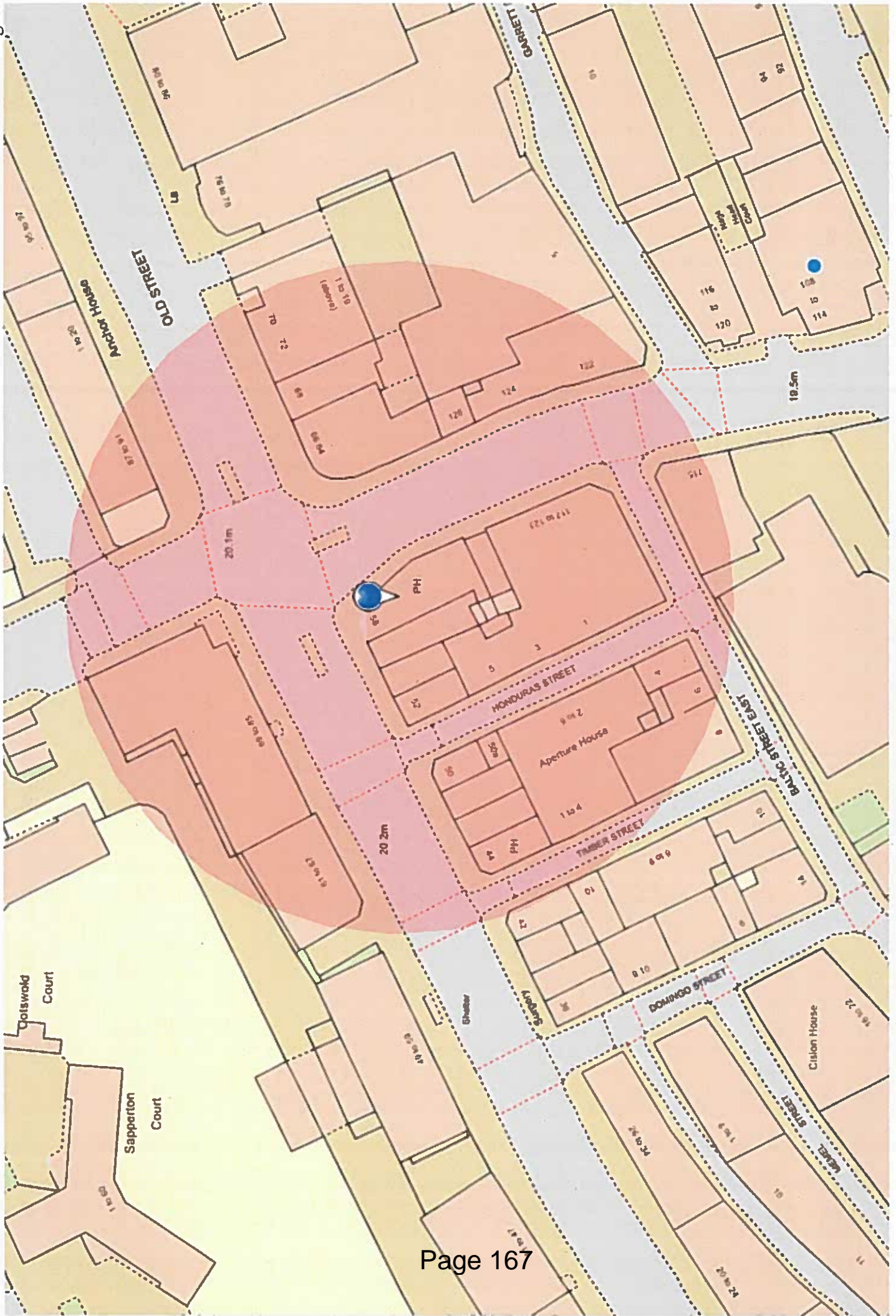
On the Estate – they might climb over the locked gate to children's play area or into a small garden which is also fenced and locked. They party on the Estate literally right outside our homes. They shout, scream, fight and when they leave there is a lot of litter – broken bottles, drink cans, cigarette ends etc. They urinate or are sick anywhere, including the bin chambers, on the Estate.

I would be grateful if the Council's licensing team to consider my representation on the Nomad and note the amount of disturbance it is causing some residents on Wenlake Estate.

If you would like to discuss this matter further please write to me directly or contact the Wenlake Tenant Management office on 020 7689 3292.

Yours faithfully





This page is intentionally left blank



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	2 May 2017		Hillrise

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

Subject: PREMISES LICENCE REVIEW APPLICATION
RE: CROUCH HILL SUPERMARKET, 60 CROUCH HILL, LONDON N4 4AD

1. Synopsis

- 1.1 This is an application by Islington Police Licensing for a Review of the Premises Licence under Section 51 of the Licensing Act 2003. A copy of the review application is attached as Appendix 1.
- 1.2 The grounds for review is related to the following licensing objectives:
 - i) The prevention of crime and disorder;

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	No
Health and Safety	No
Trading Standards	Yes
Public Health	No
Safeguarding Children	No

London Fire Brigade	No
Local residents	No
Other bodies	No

3. Background

3.1 The premises currently holds a licence allowing:

- i) The sale by retail of alcohol, off supplies only, Mondays to Saturdays from 08:00 until 23:00, Sundays 10:00 to 22:30 08:00 to 22:30 Good Fridays and 12:00 to 15:00 and 19:00 to 22:30 Christmas Day;
- ii) The premises opening hours are not specified on the premises licence.

3.2 Brief Licensing History:

- This premises licence was transferred to the current licensee Mr Huseyin Boybeyi on 27 January 2007. On that day Mr Boybeyi also became the DPS.
- In June 2009 Mr Boybeyi attended a Licensing Officer Panel following the sale of alcohol during a test purchase exercise to a person under the age of 18 years.
- On 11 June 2012 Mr Boybeyi made a minor variation to add Annex 2 Conditions 2 – 13 to the premises licence. This was done at the request of Trading Standards following the discovery of illicit alcohol at the premises. Please see the representation made by Trading Standards (Annex 2) for more details.

3.3 Papers are attached as follows:-

- Appendix 1: application form which includes premises licence;
Appendix 2: representations;
Appendix 3: map of premises location

4. Planning Implications

4.1 The Planning Service has reported that there are no restrictive conditions in force.

5 Recommendations

- 5.1 To determine the application to review the premises licence under Section 52 of the Licensing Act.
- 5.2 The Committee must have regard to the application and any relevant representations. The Committee must take such steps as necessary for the promotion of the four licensing objectives.

5.3 The steps stated in Sections 52(4) of the Act are as follows:

- a) to modify the conditions of the licence; and for this purpose the conditions of the licence are modified if any of them are altered, omitted or any new condition is added;
- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premises supervisor;
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence;
- f) the Committee also have the option to leave the licence in its existing state;
- g) the Committee also has the power in relation to steps a) and b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

6 Conclusion and reasons for recommendations


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

Background papers:

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

Final Report Clearance

Signed by


Service Director – Public Protection

Date 18/4/17

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

WK/170006115

Appendix: 1

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure
that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Pc Steven Harrington Pc 425 NI Police – Responsible Authority

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Crouch Hill Supermarket
60 Crouch Hill

Post town Islington

Post code (if known) N4 4AD

Name of premises licence holder or club holding club premises certificate (if known)

Mr Huseyin Boybeyi

Number of premises licence or club premises certificate (if known)

LN/5689-290612

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates
(please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

☐

Mrs

☐

Miss

☐

Ms

☐

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Steven Harrington Pc 425 NI Police Licensing Officer Islington Police Station 2 Tolpuddle Street Islington London N1 0YY
Telephone number (if any) 07799 133204
E-mail address (optional) licensingpolice@islington.gov.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

Please state the ground(s) for review (please read guidance note 2)

I am Police Constable Steve Harrington, 425NI a licensing officer acting on behalf of the Commissioner of the Metropolitan Police.

This review of Crouch Hill Supermarket 60 Crouch Hill N4 NAD is based on the grounds of crime and disorder.

The venue has been handling stolen goods, namely bottles of alcohol, stolen from another supermarket. They have been found to be purchasing the stolen items from a known person, with the intention to place these stolen bottles on sale in their own store.

Albeit they have only been dealt with for this one incident, they have intimated to police that this was not the first time.

The venue has a licence permitting sales of alcohol Monday to Saturday 0800 to 2300 and Sunday 1000 to 2230.

There are thirteen conditions on the licence, two of which they have been in breach of relating to this incident.

The police invite the sub-committee to remove the Designated Premises Supervisor, to enforce a condition whereby neither Mr Savvas BOYBEYI or Mr Ali ONAY have anything to do with the day to day management, running of or any form of employment at the venue, and given consideration to the seriousness of the offence, to consider a suspension of the licence. And if the licence is to remain, a CCTV condition to be added to their licence.

Please provide as much information as possible to support the application (please read guidance note 3)

Wednesday 02/11/2016 Cris report 2727276/16 refers at 1045 am.

Plain clothes police officers saw a known person enter Crouch Hill Supermarket, 60 Crouch Hill; they had with them what appeared to be a full bag of shopping. A few moments later, the person exited the shop with an empty bag. Police investigated and found that the known person had sold nine bottles of wine to the staff in the shop for £35.

When the officer entered the shop, Mr Savvas BOYBEYI was behind the counter, and Mr ONAY was in the rear stock room. Savvas denied that the person had been in the store and claimed that the nine bottles of wine on the table in the stock room had been bought officially. The police officer explained what they had witnessed and Savvas admitted that they had paid the person £35 for the said bottles. They then put them in a bag and handed them over to the officer. Whilst in the stock room, the officer saw the Sainsbury's security tags in the bin, and retrieved them too.

The police officer in attendance at this time has written in his statement that eventually, Mr ONAY admitted that the same person usually drops the bottles off in the back room and is handed the cash. Savvas further admitted that he had helped to take off the security tags.

Monday 07/11/2016 at 10pm.

A police licensing officer attended the store, present at that time were Mr ONAY and another Mr BOYBEYI, (the uncle of Savvas). The officer asked to see CCTV from the previous incident. Mr BOYBEYI spoke limited English, Mr ONAY did not speak at all. After a phone call, The premises licence holder and Designated Premises Supervisor Mr Huseyin BOYBEYI and his son, Savvas BOYBEYI arrived, both of whom spoke English. CCTV was again requested, and the reason given, that police were looking at the possibility of them having handled stolen goods. While Savvas found the CCTV, both Mr ONAY and Huseyin left the store.

CCTV showed the known person enter the store with a full bag, walk directly without slowing to the rear stock room, joined by Mr ONAY. The person then took the bottles, with security tags still attached, from the bag and put them on the table. A momentary conversation seemed to take place, ending with Mr ONAY leaving the stock room and talking to Huseyin, who was stood at the till. Huseyin opened the till and handed cash to Mr ONAY, who in turn then gave it to the person, the person then left the store.

Huseyin claimed at that point that he did not know what the £35 was for, but thought as his colleague was asking him for it, it was a legitimate purpose. Police requested a copy of the CCTV – this was eventually supplied, albeit they do not have a CCTV condition on their licence.

The wine was confirmed as stolen property belonging to Sainsbury's and along with the security tags, was returned to them.

During the conversation at the premises, Savvas stated that neither he, nor his father or uncle had anything to do with this, and that he genuinely had no idea what the money was for, he then blamed Mr ONAY in entirety for the wrongdoing.

Friday 25/11/2016 Cris 2729279/16 relates

All the evidence now gathered, this crime report was created relating to the offence of handling stolen goods.

Friday 13/01/2017

Mr Savvas BOYBEYI attended Islington police station, admitted the offence and signed a community resolution.

Summary

Aside from Mr Savvas BOYBEYI being guilty of committing an offence contrary to S22 of the theft Act 1968, the venue is in breach of two conditions within Annex 2;

Condition 3, No alcoholic goods will ever be purchased or taken from persons calling at the shop

Condition 5, The licensee will immediately report to trading standards any instance of a caller to the shop attempting to sell alcohol.

Mr Savvas BOYBEYI lied to police in the first instance, before he realised that the crime he had committed was obvious, and captured on CCTV. He then lied again to the police licensing officer, and tried to pin the entire blame onto his assistant Mr ONAY.

Mr ONAY himself, albeit also involved, did admit that this was not the first time the person had come to the store and sold them alcohol – as a shop assistant, was he under pressure from the owner, or the owners son to act as he did? We have no way to check how many times this has happened in the past – just the words of admission from Mr ONAY.

It is our opinion that Savvas being the son of the licence holder and DPS, knew what he was doing was wrong, and also our opinion that his father would have known.

The venue does stock a lot of wines, and has a stock room full to the brim of alcohol. Again, we have no way of knowing how much of this has been purchased legally. Mr Huseyin BOYBEYI must have known this practice was taking place when rigorous stock checks were carried out.

Conclusion

The venue has failed catastrophically. They have gone beyond the comparatively minor offences of failing to adhere to two very straightforward conditions - they have gone a far stride further and broken the law on a greater scale in terms of handling stolen goods.

It is our opinion that they as a team cannot be trusted, from the License holder and DPS down to the shop assistant. They have all shown a complete disregard to the licensing objectives.

We ask the committee to consider the following options;

1. Remove Mr Huseyin BOYBEYI as the DPS
2. Insert a condition stating that neither Mr Savvas BOYBEYI or Mr Ali ONAY have anything to do with the day to day management, running of or any form of employment at the venue.
3. To consider a suspension of the licence.
4. And if the licence is to remain, a CCTV condition to be added to their licence, which reads;

- *CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to comply with the following criteria:*

- *The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request;*
- *The Police must be informed if the system will not be operating for longer than one day of business for any reason;*
- *One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;*
- *The system will provide coverage of any exterior part of the premises accessible to the public;*
- *The system shall record in real time and recordings will be date and time stamped;*
- *Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to Police or authorised Council officers on request (subject to the Data Protection Act 1998) within 24 hours of any request; &*

- *At all times, there will be a person on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.*

☐

Day		Month		Year			
1	1	1	1	1	1	1	1

If you have made representations before relating to the premises please state what they were and when you made them

yes

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

James P. C. 425NE

Date

15th MARCH 2017

Capacity

Police Licensing Officer ISLINGTON

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

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

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



PREMISES LICENCE LICENSING ACT 2003

Premises licence number	LN/4133-290612		
Postal address of premises, or if none, ordnance survey map reference or description CROUCH HILL SUPERMARKET 60 CROUCH HILL			
Post town	London	Post code	N4 4AD
Telephone number	020 7272 6747		

Licensable activities authorised by the licence The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities			
• The sale by retail of alcohol:			
Monday	08:00	to	23:00
Tuesday	08:00	to	23:00
Wednesday	08:00	to	23:00
Thursday	08:00	to	23:00
Friday	08:00	to	23:00
Saturday	08:00	to	23:00
Sunday	10:00	to	22:30
Except on:			
Good Friday: 08:00 to 22:30			
Christmas Day: 12:00 to 15:00 and 19:00 to 22:30			

The opening hours of the premises: Not specified
--

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

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

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

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

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol
104070 – London Borough of Islington

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


Service Director - Public Protection

Date of Issue

23/7/12

Licence

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions consistent with the Operating Schedule

1. The restrictions on hours during which the sale of alcohol is authorised does not prohibit:
 - a) during the first 20 minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
 - b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
 - c) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval military.
2. Alcohol shall not be sold in an open container or be consumed in the licensed premises
3. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
4. No spirits shall be purchased in a resealed box.
5. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
6. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
7. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
8. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
9. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.
10. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences.
11. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff and make them available for inspection upon request by the licensing team, police or trading standards.

12. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age: that is proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
13. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.
- 14.

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

Annex 4 – Plans

Reference Number: 90335-04/08/05

REF 1
Appendix: 2



ISLINGTON

PUBLIC PROTECTION DIVISION

Trading Standards
222 Upper Street
London N1 1XR

Tel: x 3874

E-mail: doug.love@islington.gov.uk

Please reply to: Doug Love

MEMO TO:

**LICENSING TEAM
222 UPPER STREET**

Our Ref:

Your Ref:

Date: 17/03/17

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Crouch Hill Supermarket, 60 Crouch Hill, N4 4AD

I have had the opportunity to examine the application made by the Police to review the premises licence of this business on behalf of Trading Standards. I wish to make the following representation.

1. Since Huseyin Boybeyi became PLH / DPS in 2007, there have been four underage test purchases attempted, none of which resulted in sales to our underage volunteers.
2. The last two of these attempts followed 'Challenge 25' test purchases in September 2014 and October 2016, during which sales of alcohol were made to young people (18 years old and 19 years old males, respectively) without proof of age being requested. Both sales were made by Coskun Boybeyi, who I believe to be Huseyin's brother, and who describes himself as the owner of the business. He said he thought the volunteers were "20" and "Over 20", respectively, when I went into the shops with the volunteers immediately after the purchases.
3. Although 'failing' a Challenge 25 TP is not a major concern in itself, it does indicate that a large enough margin of error is not being allowed when age is being assessed, is in breach of Annex 2, condition 10 and indicates that the training required by condition 11 was insufficient.
4. I have made three checks for illicit goods at the premises. The first, in January 2012 resulted in the seizure of 136 bottles of wine, which Huseyin Boybeyi later admitted was supplied by someone calling at the shop. This resulted in Mr Boybeyi agreeing to make a minor variation to his licence to add on appropriate conditions and attending an Officer Panel Meeting at which he was warned not to stock illicit alcohol again and that it was a legal requirement to comply with the new conditions.
5. A check in September 2014 resulted in no goods being identified as illicit.
6. The final check was in November 2016, shortly after the incident on which the Police review is based, during a visit with Licensing Officer Katie Tomashevski, who did a conditions check. Once again there was no spirits or tobacco that was suspect. However, there were several beers that had Polish-only labelling. It is an offence under food labelling legislation to sell beer that does not carry English language food labelling and it is also an indication that the beer may not have been supplied by a legitimate wholesaler.
7. One of the beers – Perla Mocna – is 7.6% abv and duty + VAT payable on it is £1.09. The cheapest that I have seen it priced at on a legitimate cash and carry invoice is £29.99 + VAT for a case of 24, which works out at £1.50 per can. It was on sale for £1.10 per can. This may have been a pricing error – the other Polish beers in the store, also on sale for £1.10 are available for around £1.05 per can – or it may be an indication that it is non-UK duty paid. Whatever its origin, I would argue that selling beer of this strength, which tends to be very attractive to people who abuse alcohol, is not the action of a responsible licensee.

8. As Polish beers are known to be regularly smuggled into the UK with duty being paid, I required invoices to be produced, as per licence condition 6 in Annex 2. No invoices have been provided, nor a reason given to explain this.
9. The last check will have been the first where I looked at beers. I often now look, especially at Polish beer and at super strength beers with an abv exceeding 7.5% (the much higher tax on these beers mean these are often duty-evaded, also). I did not request invoices for the super strength beers on this occasion, as the prices were above the minimum prices for which I know them to be available from legitimate cash and carries.
10. The business has sent staff to my training on two occasions. Huseyin Boybeyi (whose English is poor) and his son Savas attended in November 2014; Coskun attended in January 2017. The training sessions cover the importance of complying with licence conditions and of not storing illicit alcohol – the definition of which specifically included stolen alcohol.

Recommendations

11. There is little excuse for the PLH to be in breach of licence conditions. He should have been in no doubt, having attended the Officer Panel meeting and my training, that compliance with them was a legal requirement, if he wished to sell alcohol.
12. The Polish beers I have asked about may, or may not, be UK duty paid. However, the question must be asked: if they were legitimately purchased, how come no invoices have been provided? It is not only a requirement of the licence that invoices are available, but they are also legally required to be kept for traceability (food laws) and financial reasons (tax laws).
13. If this matter was just the above issues I think they could be resolved with a short suspension, or even without using the licence review process at all.
14. The fact that the business has been found handling stolen goods – apparently supplied by a person known to them - is, I believe, much more damning. It is inconceivable to me that this activity would be taking place without the knowledge of the owner or PLH: indeed it seems that the 'deal' was delegated to Mr Onay, an employee - surely an indication that it was a very routine activity in the business. It is certainly hard to see any motive for Mr Onay and Savas Boybeyi to be acting independently from the business principals.
15. If the Committee shares this view, I would encourage them to revoke the licence. The advice, training and warnings offered by the Council over the years have all made it clear that illicit alcohol would not be tolerated and may result in the licence being revoked. The Council gave Mr Boybeyi the chance to amend his ways without damage to his business: the Officer Panel should have been seen by him as an opportunity to get things right. Instead, they have persisted in procuring illegal alcohol to the detriment of others and their competitors. What has been discovered – in fortunate circumstances – may well be just the tip of the iceberg, but even if it is a rare occurrence, it shows inherent dishonesty.
16. If the Committee choose not to revoke the licence, Trading Standards would like to see a long suspension of the licence, with the following conditions added:
 - Super strength beer (ie. that of a strength of 7.5% abv or greater) shall not be sold at less than the verifiable cost of the product to the business and the price of such beers will be clearly displayed to consumers.
 - All alcohol for sale in the shop should carry English language labelling (which may be in the form of a sticker attached to the container).

I believe this representation to be consistent with the Council Statement of Licensing Policy and the recommendation to be appropriate with regard to the Licensing Objectives.



Doug Love
Trading Standards Officer

Licensing Act 2003- Representation from the Licensing Authority
Application: Crouch Hill Supermarket, 60 Crouch Hill, London N4

I am submitting a representation on behalf of the Licensing Authority with respect to the police application to review the premises licence.

The grounds for the representation are:

- The prevention of crime and disorder

Licensing Policy Considerations

Licensing Policies 9 & 10 Standards of Management

Licensing Policy 30 Review of Licences

Issues of Concern

The Licensing Authority supports the Police application to review the premises licence, as it believes that the management of the premises is undermining the licensing objectives.

This matter was brought to the Licensing Authority's attention in November 2016. The Police were concerned about an allegation of the premises buying and then re-selling stolen bottles of wine from a person calling at the shop and this is a breach of Annex 2 Condition 3 of the premises licence as well as Annex 2 Condition 5.

A joint visit with the Licensing Authority and Trading Standards was carried out on 10 November 2016 where a number of breaches of the premises licence conditions were found including: Annex 2

- Condition 6 - During the visit the Trading Standards officer required to see invoices for the large amount Polish beer at the premises.
- Condition 7 - To date, no information has been provided about the provenance of the alcohol and where it was purchased.
- Condition 8 - No ultra-violet light was available.
- Condition 11 - No training records were available or have ever been provided.
- Condition 13 - No refusal records were kept and have ever been provided.

The premises licensee attended a Licensing Officer Panel in June 2012 following Trading Standards seizure of illicit alcohol. Following the Officer Panel a minor variation was made by the licensee to add the following conditions to the premises licence:

- No alcoholic goods will ever be purchased or taken from persons calling to the shop.
- No spirits shall be purchased in a resealed box.
- The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
- Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
- A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
- A ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
- If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.
- The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences.

- The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff and make them available for inspection upon request by the licensing team, police or trading standards.
- The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age: that is proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
- The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

Conclusion

When the Licensing Authority grants a premises licence to a licensee there must be a degree of trust that they will comply with the conditions of the licence. When a licensee not only fails to comply with the conditions of the licence but also commits an offence concerning the sale of alcohol this must be taken very seriously. The actions of the licensee in purchasing and then re-selling stolen goods demonstrate a clear disregard for the law and licensing conditions.

We have considered the recommendations of the Police which include removing the DPS and imposing conditions but for the reasons above have doubts that the licensee will be able or willing to comply with any new conditions imposed.

Recommendations

In order to promote the licensing objectives it is recommended that the licensing committee considers the facts of the Police Review and any mitigation put forward by the Licence Holder and makes a proportionate and appropriate decision. Based on the Licensing Authority's analysis of the evidence it is recommended that the premises licence be revoked.

Terrie Lane
Licensing Manager
terrie.lane@islington.gov.uk
020 7527 3233

24 March 2017



Printed By:
RO RO

Printed At:
19-04-2017

This page is intentionally left blank



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	02 May 2017		Junction

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

Subject: NEW PREMISES LICENCE APPLICATION
RE: AYA SUPERMARKET, 599 HOLLOWAY ROAD, LONDON N19 4DJ

1. Synopsis

- 1.1 This is an application for a new premises licence under the Licensing Act 2003.
- 1.2 The application is to allow:
 - i) The sale by retail of alcohol for consumption off the premises, from 08:00 until 23:00 Monday to Sunday
 - ii) Opening hours, from 08:00 until 23:00 Monday to Sunday

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	No
Health and Safety	No
Trading Standards	No – conditions agreed

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	No
Other bodies	Yes – Councillor Burgess on behalf of the Junction Ward Councillors

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 These premises are located in the Holloway Road and Finsbury Park 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.

3.3 The Licensing Authority received three letters of representation in opposition to this application. These representations were from the Licensing Authority, Police and the Junction Ward Councillors. The representations were based on the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

3.4 Islington's Trading Standards service also made a representation. However, the applicant agreed conditions with the service and the representation was subsequently withdrawn.

3.5 This premises held an alcohol licence from November 2006, the licence was reviewed by Trading Standards in July 2013, based on the licensing objectives of the prevention of crime and disorder and the protection of children from harm. Members of the Licensing Sub Committee revoked the licence on 10 September 2013. The hours for the sale by retail of alcohol for this licence were from 07:00 until midnight Monday to Sunday. The premises licence holder at this time was Nita Raikundalia.

3.6 An application was received for a new premises licence in March 2014, with application hours sought from 08:00 until 23:00 for the sale of alcohol off the premises only. The applicant at this time was Gagandeep Bedi. This application received representations and referred to a meeting of the Licensing Sub Committee for determination, where Members decided to refuse the application.

3.7 A further application for a new premises licence was made in May 2015 by Hiren Patel. The provisions sought were an on and off licence for alcohol to be sold ancillary to either a person taking a table meal or with a take away meal from a deli style premises.

3.8 Visits to the premises in February 2016 found the premises to be operating in breach of a number of premises the licence conditions. Warning letters were sent to the premises licence holder and in March 2016, the licence was surrendered.

4. Planning Implications

- 4.1 The Planning Service has reported that there are no restrictive conditions in force.
- 4.2 There are no outstanding planning enforcement investigations in relation to this site.

5. Recommendations

- 5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 5.2 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. conditions recommended by Responsible Authorities deemed appropriate by the Committee (see appendix 3); and
 - iii. any additional conditions deemed appropriate by the Committee to promote the four licensing objectives.

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 it considers appropriate to promote the licensing objectives.

Background papers:

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

Final Report Clearance

Signed by


Service Director – Public Protection

Date 19/4/17

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: 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

AYA MInimarket

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

Nozad

* Family name

Abdullah

* E-mail

licensing@narts.org.uk

Main telephone number

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.

Continued from previous page...

Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

Agent Details

* First name	<input type="text" value="Mahir"/>
* Family name	<input type="text" value="Kilic"/>
* E-mail	<input type="text" value="Licensing@narts.org.uk"/>
Main telephone number	<input type="text" value="02037456500"/>
Other telephone number	<input type="text"/>

Include country code.

☐ 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

* Registration number	<input type="text" value="1004572"/>
* Business name	<input type="text" value="Narts Food & Leisure Ltd"/>
* VAT number	<input type="text" value="- none"/>
* Legal status	<input type="text" value="Private Limited Company"/>
* Your position in the business	<input type="text" value="Licensing Consultant"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

* Building number or name	53
* Street	Stoke Newington High street
District	
* City or town	London
County or administrative area	
* Postcode	N16 8EL
* Country	United Kingdom

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	599
Street	Holloway Road
District	
City or town	London
County or administrative area	
Postcode	N19 4DJ
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	10,750

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

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Nozad

Family name

Abdullah

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of 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?

<input type="text" value="11"/>	/	<input type="text" value="04"/>	/	<input type="text" value="2017"/>
dd		mm		yyyy

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

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
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.

Minimarket, Please see attached plans

Continued from previous page...

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

☐ Yes

☒ No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes

☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

☐ Yes

☒ No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☐ Yes

☒ No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☐ Yes

☒ No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

Continued from previous page...

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

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

Continued from previous page...

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.

N/A

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.

N/A

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

Name

First name

Nozad

Family name

Abdullah

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Personal Licence number
(if known)

Issuing licensing authority
(if known)

Continued from previous page...

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'.

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.

N/A

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

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

N/A

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.

N/A

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.

Please see below and also the attached cover letter.

b) The prevention of crime and disorder

1) THE DPS, A PERSONAL LICENCE HOLDER OR TRAINED MEMBER OF STAFF NOMINATED IN WRITING BY THE DPS SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

2) A) A CCTV SYSTEM COVERING THE INTERIOR & EXTERIOR OF THE PREMISES WILL BE INSTALLED TO CURRENT METROPOLITAN POLICE / HOME OFFICE STANDARDS AND SHALL BE KEPT OPERATIONAL AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

B) IT SHALL BE CAPABLE OF TAKING A HEAD & SHOULDERS SHOT OF PERSONS ENTERING THE PREMISES, OF RECORDING IMAGES TO AN EVIDENTIAL STANDARD IN ANY LIGHT AND BE CAPABLE OF STORING IMAGES FOR A MINIMUM OF 31 DAYS.

C) ALL STAFF WHO MAY WORK FRONT OF HOUSE SHALL BE TRAINED TO OPERATE THE CCTV SYSTEM AND DOWNLOAD IMAGES.

Continued from previous page...

D) AT LEAST ONE MEMBER OF STAFF TRAINED TO OPERATE THE CCTV SYSTEM & DOWNLOAD IMAGES SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. FOOTAGE SHALL BE SHOWN TO THE POLICE AND SCREENSHOTS PROVIDED TO THEM ON REQUEST. COPIES OF DOWNLOADED IMAGES SHALL BE PROVIDED TO THE POLICE ON A USB STICK, CD OR OTHER ACCEPTABLE MEANS AS SOON AS POSSIBLE AND IN ANY CASE WITHIN 24 HOURS OF THE REQUEST

3) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY.

4) ALL STAFF WHO WORK AT THE TILL WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.

5) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES, AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS, WHICH WILL RECORD THE FOLLOWING:

- A) ALL CRIMES REPORTED,
- B) LOST PROPERTY,
- C) ALL EJECTIONS OF CUSTOMERS,
- D) ANY COMPLAINTS RECEIVED,
- E) ANY INCIDENTS OF DISORDER,
- F) ANY SEIZURE OF DRUGS OR OFFENSIVE WEAPONS,
- G) ANY FAULTS IN THE CCTV,
- H) ANY REFUSAL IN THE SALE OF ALCOHOL.
- I) ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICE

6) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE) ADVISING CUSTOMERS:

- A) THAT CCTV & CHALLENGE 25 ARE IN OPERATION;
- B) ADVISING CUSTOMERS OF THE PROVISIONS OF THE LICENSING ACT REGARDING UNDERAGE & PROXY SALES;
- C) OF THE PERMITTED HOURS FOR LICENSABLE ACTIVITIES & THE OPENING TIMES OF THE PREMISES;
- D) NOT TO DRINK IN THE STREET;
- E) TO RESPECT RESIDENTS, LEAVE QUIETLY, NOT TO LOITER OUTSIDE THE PREMISES OR IN THE VICINITY AND TO DISPOSE OF LITTER LEGALLY.

c) Public safety

A FIRE RISK ASSESSMENT AND EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED. ALL STAFF WILL RECEIVE APPROPRIATE FIRE SAFETY TRAINING AND REFRESHER TRAINING.

d) The prevention of public nuisance

- 1) THE FRONT OF THE PREMISES SHALL BE KEPT TIDY AT ALL TIMES AND BE SWEEPED AT CLOSE.
- 2) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE)

3) NO DELIVERIES WILL BE RECEIVED OR RUBBISH REMOVED FROM THE PREMISES BETWEEN 21.00 & 08.00.

4) ANY MUSIC PLAYED WILL ONLY BE PLAYED AT BACKGROUND LEVEL.

5) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS --SEE BOX B CONDITION 5 FOR FULL DETAILS OF THE INFORMATION TO BE RECORDED.

6) A PHONE NUMBER FOR THE PREMISES SHALL BE MADE AVAILABLE IF REQUIRED UPON REQUEST TO THE POLICE, ANY OTHER RESPONSIBLE AUTHORITY OR ANY LOCAL RESIDENT TO ADDRESS ANY CONCERNS CAUSED BY THE OPERATION OF

Continued from previous page...

THE PREMISES. ANY COMPLAINTS AND THE OUTCOME WILL BE RECORDED IN THE INCIDENT BOOK.

e) The protection of children from harm

1) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY AND ONLY A VALID PASSPORT, PHOTO DRIVING LICENCE, HM FORCES PHOTOGRAPHIC ID CARD OR PROOF OF AGE CARD WITH THE PASS LOGO OR HOLOGRAM ON IT MAY BE ACCEPTED AS PROOF OF AGE.

2) ALL REFUSALS OF THE SALE OF ALCOHOL SHALL BE RECORDED IN THE REFUSALS SECTION OF THE INCIDENT BOOK. THE INCIDENT BOOK SHALL BE KEPT AND PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST –SEE SECTION B CONDITION 5 FOR FULL DETAILS.

3) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE AS APPROPRIATE– SEE SECTION B CONDITION 6 FOR FULL DETAILS.

4) ALL STAFF WHO WORK FRONT OF HOUSE WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.

5) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED COUNCIL OFFICERS ON 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

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

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

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

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

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

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

Capacity 5000-9999	£1,000.00
--------------------	-----------

Continued from previous page...

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

* Fee amount (£)

190.00

DECLARATION

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

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

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

Mahir Kilic

* Capacity

Licensing Consultant

* Date

14 / 03 / 2017
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

Approved
Rep 1

Your

Our Licensing/Nl

Date: 30/03/2017



**METROPOLITAN POLICE
SERVICE**

Licensing Team

Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY

Telephone: 07799133204

Facsimile:

Email:

licensingpolice@islington.gov.uk

NARTS Food and Leisure Ltd
53 Stoke Newington High Street
London
N16 8EL

Dear Sir

Re: AYA Supermarket, 599 Holloway Road, N19 4DJ - New Premises Licence Application

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives, being the Prevention of Crime and Disorder.

The venue is situated in the designated 'Holloway Road and Finsbury Park Cumulative Impact Area', a locality where there is traditionally high crime and disorder, and a large number of licensed bars and off-licenses in the immediate area. Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency service's resources.

There are already 12 other licensed premises within a 200 metre radius of the proposed venue. As referenced in the Islington Licensing Policy 2013-2017, this area still suffers with street drinking, and other alcohol related problems.

I attach to this representation a letter written by Detective Chief Inspector Steve Heatley referencing the problems that police and other emergency services encounter during the nighttime economy as a result of alcohol. Whilst we appreciate this proposed venue will be closing at 11pm, it is another venue selling alcohol to the public who may be taking that home and add to the issues covered.

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

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

Yours sincerely

Peter Conisbee Pc 575NI
Steven Harrington Pc 425NI
Ben Chadwick Pc 292NI

Islington Police Licensing Team

Your

Our

Date: 15/12/2016



**METROPOLITAN POLICE
SERVICE**

Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY

Telephone:

Email:

Re: GBH and the Nighttime economy of Islington Borough

Over recent years Islington has experienced rapid growth in its night time economy. The cumulative effect of this is a heavy footfall of persons who are not resident in Islington Borough but who are present between the hours of 8pm and 6am to take advantage of the extremely vibrant night-time economy, especially over weekends.

We are now facing an increase in public transport services, with the introduction of the 'night tube', but there has not been commensurate increase in public services, such as Police or the London Ambulance Service.

Each new license or extension of an existing license will create additional demand on a range of public services. There is a direct link between the number of persons in public places who have consumed alcohol and the number of violent assaults that take place in that public place. This 'new' business for the police will involve reporting and investigating more instances of theft, anti social behaviour, drunkenness and serious assaults. No additional police resource will be available to cope with this extra demand. More people will be the victims of crime and more people will be injured.

Similarly we must engage with any business that has a disproportionate amount of need for the emergency services as a result of anti-social behaviour, or violence emanating from their premises. If the engagement is not successful, further action may be deemed necessary to reduce these serious issues.

The number of Police personnel available both in terms of uniform deterrence and investigative capacity is at its lowest between the hours of 11pm and 8am. At a time when both Police resources are being severely squeezed long with the resources available to NHS we strongly resist increasing the number of persons who have consumed alcohol onto the streets of Islington. We have dwindling resources to deal with the consequences.

The average investigation into an allegation of Grievous Bodily Harm costs Islington Police £2000 to investigate.

In the previous year to 31st October 2016, Islington police investigated over 580 such crimes. This does not include domestic related GBH offences (which increases by a further 250). 176 of these crimes occurred between the hours of midnight and 5am.

This takes no account of the costs to the NHS. It also takes no account of the thousands of alcohol-related Actual Bodily Harm and Common Assault investigations that are taken on by Islington Police every year.

In any area that is already saturated with Licensed Premises it is just not sustainable to keep increasing the number of people on those streets after midnight. No matter how well any establishment is run internally their very business case is based on growing the number of people who end up on the streets of Islington having been drinking. As local public services are already stretched then the inevitable consequence of granting more post-midnight licences is an increase in the number of victims of serious violence.

Detective Chief Inspector Steve Heatley

Islington Police

Licensing Authority Representation

Licensing Act 2003 Application: AYA Supermarket, 599 Holloway Road, London N19 4DJ.

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

The grounds for the representation are:

- Public nuisance
- Crime and disorder
- Protection of children from harm

Licensing Policy Considerations

Licensing Policies 1 & 2 - Location, Cumulative Impact and Saturation

Licensing Policies 4 & 5 - Shops Selling Alcohol

Licensing Policies 13 - Alcohol induced crime and disorder and anti-social behavior

Issues of Concern

1. The premises are located within the Holloway Road and Finsbury Park Cumulative Impact Area. The onus is on the applicant to demonstrate that these premises will not add to the cumulative impact. It is my opinion that the proposed application will add to the cumulative impact.
2. Regular complaints are received from local residents about the impact of licensed premises in the area and Licensing Officers regularly visit premises and try to work with licensed operators to minimise the impact that their businesses have on the local environment, for example through the successful introduction of the "reduce the strength" campaign.
3. There is a specific concern about the impact of street drinkers in the area, who typically arrive in the area early and consume alcohol on the street and in the local parks. These drinkers are associated with antisocial and criminal behaviour such as fighting, public urination and littering. The premises is located in close proximity to Whittington Park.
4. It is the view of the Licensing Authority, that this application will undermine the licensing objectives and add to the cumulative impact principally because the proposed off sale hours will be attractive to street drinkers referred to above.

Recommendation

If the Licensing Committee is minded to grant the licence, I recommend that the licence be granted to allow off-sales between the following hours only: 10:00 until 23:00, Mondays to Sundays. I also recommend that the following additional conditions apply:

1. 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.

2. All staff responsible for selling alcohol shall receive regular training from the DPS (with refresher training not less than once every 6 months) with written records of the training be made available to the Police and other Responsible Authorities on:
 - a) in the Licensing Act 2003
 - b) Use of the CCTV,
 - c) Use of the Refusal Book,
 - d) Use of the Incident Book,
 - e) The Challenge 25 Policy and forms of acceptable ID,
 - f) Refusal of patrons who attempt to purchase alcohol or tobacco in breach of this operating schedule or Licensing Act 2003
3. The licensee will adopt a Challenge 25 scheme that ensures any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age shall be implemented at the premises. Proof of age shall only comprise a passport, a photo card driving licence, or Proof of Age Standards Scheme (PASS) approved proof of age identity card.
4. The premises licence holder shall ensure that notices shall be prominently displayed in the premises to advise patrons and staff that a 'Challenge 25' scheme operates in the premises.
5. A refusal book recording all refused sales of alcohol shall be kept at the premises and maintained at all times, which shall be made available to a police officer or an authorised officer of any responsible authority upon request. The register will contain:
 - a) details of the time and date the refusal was made
 - b) the reason for the refusal (including underage and attempted purchase by person who is drunk)
 - c) the identity of the staff member refusing the sale
 - d) brief description of the customer concerned
6. An incident book shall be kept and maintained at the premises at all times, which shall be made available to a police officer or an authorised officer of any responsible authority upon request.
7. No beer, larger, cider or similar cans to be sold in single units. Beer and cider only be sold in multiple packs of a **minimum of 4 cans**. No plastic bottles of cider will be sold.
8. There shall be no sales of spirits in vessels of 30cl or less.
9. No super-strength beer, lager or cider of 6.5 ABV or above shall be sold at the premises.
10. Customers shall not be permitted to open or consume alcoholic products on the premises.
11. No open vessels shall be allowed off the premises.
12. No cups or vessels will be supplied to those purchasing alcohol.
13. Patrons shall be requested not to congregate or loiter inside/outside the premises and to leave the premises quietly. Notices to this effect must be prominently displayed at the entrances of the premises.

Terrie Lane
Licensing Manager
terrie.lane@islington.gov.uk
020 7527 3233

10 April 2017

Jones, Carol

From: Burgess, Janet
Sent: 10 April 2017 16:21
To: Jones, Carol
Cc: Nicholls, Tim; Comer Schwartz, Kaya
Subject: RE: Premises Licence Application: AYA Supermarket, 599 Holloway Road, Islington, London, N19 4DJ.

Dear Carol,

Yes, that's fine, as I assume that my representation will make it clear that they are in agreement.

Best wishes
 Janet

From: Jones, Carol
Sent: 10 April 2017 15:49
To: Burgess, Janet
Subject: RE: Premises Licence Application: AYA Supermarket, 599 Holloway Road, Islington, London, N19 4DJ.

Dear Councillor Burgess,

I refer to your representation below made in relation to the application for a new application in respect of the above premises.

I am in receipt of emails from Cllr Tim Nicholls and Cllr Kaya Comer-Schwartz confirming that they support your representation. I would be grateful if you could please confirm whether you are happy to represent both Councillors with your representation.

With regards,

Carol

From: Burgess, Janet
Sent: 03 April 2017 12:34
To: Licensing; LicensingPolice; 'FSR-AdminSupport@london-fire.gov.uk'; Brothers, Anne; Standards, Trading; Control, Building; Gibbons, Janice; CSPU Team; S&QA; Cheqrouni - Kettani, Salah; CIPH licensing; Jones, Carol; Comer Schwartz, Kaya; Nicholls, Tim
Cc: Lane, Terrie; Montanez-Dodson, Monty; Envh, Commercial; Lamski, Danielle; Ford, Andrew
Subject: RE: Premises Licence Application: AYA Supermarket, 599 Holloway Road, Islington, London, N19 4DJ.

I wish to object on the following grounds:

Archway is one of the crime hotspots in the area.

I believe, therefore, that granting this application for a licence the sale of alcohol will be against the objectives of the Licensing Policy: prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

Our current Licensing Policy also points out that the Archway area has one of the highest concentrations of off licences of any ward in the Borough, with an average of one off-licence per 317 residents. The Policy therefore has designated it an area of cumulative impact and saturation. As such there should not be another licence granted. It

is widely recognised that as the density of licensed premises increases, so does the number of alcohol related ambulance call outs and incidents of alcohol related crime and disorder.

Janet Burgess M.B.E.
Deputy Leader of the Council
Labour Councillor for Junction Ward and Executive Member for Health & Wellbeing
Town Hall
Upper Street
London N1 2UD
Phone: 020 7527 2667
PA: 020 7527 3051
Mobile: 07584 370 726
Email: janet.burgess@islington.gov.uk

From: Burrell, Ryan
Sent: 15 March 2017 16:32
To: LicensingPolice; 'FSR-AdminSupport@london-fire.gov.uk'; Brothers, Anne; Standards, Trading; Control, Building; Gibbons, Janice; CSPU Team; S&QA; Cheqrouni - Kettani, Salah; CIPH licensing; Jones, Carol; Burgess, Janet; Comer Schwartz, Kaya; Nicholls, Tim
Cc: Lane, Terrie; Montanez-Dodson, Monty; Envh, Commercial; Lamski, Danielle; Ford, Andrew
Subject: Premises Licence Application: AYA Supermarket, 599 Holloway Road, Islington, London, N19 4DJ.

Dear Sir/Madam,

We have received the following attached application for a **Premises Licence (New)**:

Proposed licence holder: Mr Nozad Abdullah, 1 Henley Road, London, N18 1NU.

Premises name: AYA Supermarket,

Address: 599 Holloway Road, Islington, London, N19 4DJ.

Application received: 14/03/2017

Last date for representations: 11/04/2017

Reference: WK/170007657

Licensable activities and timings applied for:

Sale Of Alcohol (Off the premises):

Monday – Sunday – 08:00 – 23:00

Opening Hours to the public:

Monday – Sunday – 08:00 – 23:00

Please confirm by email, **within 5 days**, if the application has/hasn't been received by yourselves.

You then have **28 days** from the date of receipt of application to make any representations. Please confirm to us within this time if you do/don't wish to make representation.

Regards
Licensing Team
Public Protection Division
Environment & Regeneration
Islington Council
3rd Floor, 222 Upper Street, London, N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk
Website: www.islington.gov.uk

The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this E-Mail and your reply cannot be guaranteed.

The information in this message is confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by any other person is not permitted. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

Please help save resources by not printing this e-mail if you can avoid it, and by using recycled paper.

Kind Regards

Ryan Burrell

Licensing Support Team

Technical Support Officer

Environment & Regeneration

Islington Council

222 Upper Street

London, N1 1YA

Tel: 020 7527 4330

www.islington.gov.uk



Suggested conditions of approval consistent with the operating schedule

1. The Designated Premises Supervisor, a personal licence holder or trained member of staff nominated in writing by the Designated Premises Supervisor shall be on duty at all times the premises are open to the public.
2. a) a CCTV system covering the interior & exterior of the premises will be installed to current metropolitan police / home office standards and shall be kept operational at all times the premises are open to the public.
 b) it shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.
 c) all staff who may work front of house shall be trained to operate the CCTV system and download images.
 d) at least one member of staff trained to operate the CCTV system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a USB stick, CD or other acceptable means as soon as possible and in any case within 24 hours of the request.
3. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
4. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
 - a) all crimes reported,
 - b) lost property,
 - c) all ejections of customers,
 - d) any complaints received,
 - e) any incidents of disorder,
 - f) any seizure of drugs or offensive weapons,
 - g) any faults in the CCTV,
 - h) any refusal in the sale of alcohol.
 - i) any visit by a relevant authority or emergency service
5. Notices will be prominently displayed by the entry/ exit door or point of sale, advising customers:
 - a) that CCTV & challenge 25 are in operation;
 - b) advising customers of the provisions of the licensing act regarding underage & proxy sales;
 - c) of the permitted hours for licensable activities & the opening times of the premises;
 - d) not to drink in the street;
 - e) to respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.
6. A fire risk assessment and emergency plan will be prepared and reviewed annually. All staff will receive appropriate fire safety training and refresher training.
7. The front of the premises shall be kept tidy at all times and be swept clear at close of business.
8. No deliveries will be received or rubbish removed from the premises between 21.00 & 08.00.
9. Any music played will only be played at background level.

10. A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. All complaints and the outcome will be recorded in the incident book.
11. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme. A valid passport, photo driving licence, HM Forces photographic ID card or proof of age card with the pass logo or hologram on it will be accepted as proof of age.

Suggested conditions from Islington's Trading Standards service – Agreed

12. No alcoholic goods or tobacco products will ever be purchased or taken from persons calling to the shop.
13. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol or tobacco products.
14. No spirits shall be purchased in a resealed box, without thorough checks being made to ensure it is legal to sell.
15. Only alcoholic drinks which are detailed on invoices will be purchased or accepted as part of a 'free' offer. Invoices (or copies) for all alcoholic goods on the premises will be made available to officers from the council, police or HMRC upon request.
16. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
17. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards as soon as possible.
18. Super strength beer (ie. that of a strength of 7.5% abv or greater) shall not be sold at less than the verifiable cost of the product to the business and the price of such beers will be clearly displayed to consumers.

Suggested conditions from the Licensing Authority – Not agreed at the time of writing the report

19. 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. (in place of condition 2 above)
20. All staff responsible for selling alcohol shall receive regular training from the DPS (with refresher training not less than once every 6 months) with written records of the training be made available to the Police and other Responsible Authorities on:
 - a) in the Licensing Act 2003
 - b) use of the CCTV,

- c) use of the Refusal Book,
 - d) use of the Incident Book,
 - e) the Challenge 25 Policy and forms of acceptable ID,
 - f) refusal of patrons who attempt to purchase alcohol or tobacco in breach of this operating schedule or Licensing Act 2003 **(in place of condition 3)**
21. The licensee will adopt a Challenge 25 scheme that ensures any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age shall be implemented at the premises. Proof of age shall only comprise a passport, a photo card driving licence, or Proof of Age Standards Scheme (PASS) approved proof of age identity card. **(in place of condition 11)**
22. The premises licence holder shall ensure that notices shall be prominently displayed in the premises to advise patrons and staff that a 'Challenge 25' scheme operates in the premises. **(can be deleted in condition 5 is imposed)**
23. A refusal book recording all refused sales of alcohol shall be kept at the premises and maintained at all times, which shall be made available to a police officer or an authorised officer of any responsible authority upon request. The register will contain:
- a) details of the time and date the refusal was made
 - b) the reason for the refusal (including underage and attempted purchase by person who is drunk)
 - c) the identity of the staff member refusing the sale
 - d) brief description of the customer concerned
24. An incident book shall be kept and maintained at the premises at all times, which shall be made available to a police officer or an authorised officer of any responsible authority upon request.
25. No beer, larger, cider or similar cans to be sold in single units. Beer and cider only be sold in multiple packs of a **minimum of 4 cans**. No plastic bottles of cider will be sold.
26. There shall be no sales of spirits in vessels of 30cl or less.
27. No super-strength beer, lager or cider of 6.5 ABV or above shall be sold at the premises.
28. Customers shall not be permitted to open or consume alcoholic products on the premises.
29. No open vessels shall be allowed off the premises.
30. No cups or vessels will be supplied to those purchasing alcohol.
31. Patrons shall be requested not to congregate or loiter inside/outside the premises and to leave the premises quietly. Notices to this effect must be prominently displayed at the entrances of the premises.

This page is intentionally left blank