



Resources Department  
Town Hall, Upper Street, London, N1 2UD

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## AGENDA FOR THE LICENSING SUB COMMITTEE D

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Members of Licensing Sub Committee D are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on **21 March 2017 at 6.30 pm.**

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

Enquiries to : Mary Green  
Tel : 0207 527 3005  
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Despatched : 13 March 2017

### **Membership**

Councillor Nick Wayne (Chair)  
Councillor Satnam Gill OBE (Vice-Chair)  
Councillor Marian Spall

### **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  |        |
|    | <p>If you have a <b>Disclosable Pecuniary Interest*</b> in an item of business:</p> <ul style="list-style-type: none"> <li>▪ if it is not yet on the council's register, you <b>must</b> declare both the existence and details of it at the start of the meeting or when it becomes apparent;</li> <li>▪ you may <b>choose</b> to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.</li> </ul> <p>In both the above cases, you <b>must</b> leave the room without participating in discussion of the item.</p> <p>If you have a <b>personal</b> interest in an item of business <b>and</b> you intend to speak or vote on the item you <b>must</b> declare both the existence and details of it at the start of the meeting or when it becomes apparent but you <b>may</b> participate in the discussion and vote on the item.</p> <p><b>*(a)Employment, etc</b> - Any employment, office, trade, profession or vocation carried on for profit or gain.</p> <p><b>(b) Sponsorship</b> - 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.</p> <p><b>(c) Contracts</b> - 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.</p> <p><b>(d) Land</b> - Any beneficial interest in land which is within the council's area.</p> <p><b>(e) Licences-</b> Any licence to occupy land in the council's area for a month or longer.</p> <p><b>(f) Corporate tenancies</b> - Any tenancy between the council and a body in which you or your partner have a beneficial interest.</p> <p><b>(g) Securities</b> - 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.</p> <p>This applies to <b>all</b> members present at the meeting.</p> |        |
| 5. | Order of Business   |        |
| 6. | Minutes of Previous Meeting   | 1 - 8  |
| B. | Items for Decision  |        |
| 1. | Shoreditch Grind, 213 Old Street, London EC1M 4AY - premises licence variation  | 9 - 66 |

2. Star Food and Wine, 138-140 Balls Pond Road, London N1 4AD - application for new premises licence 67 - 100

**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 applicant (interested party or responsible authority) on matters arising from their submission.

- 6) **Other representatives (interested party or responsible authority)** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins

- 7) The Sub-Committee to question the other representatives (interested party or responsible authority) on matters arising from their submission.

- 8) **The licensee** to present the key points of their application, address the representations and clarify any points requested by the Authority. Witnesses given permission by the Authority may appear. 10 mins

- 9) The Sub-Committee to question the applicants on matters arising from their submission.

- 10) If required, the Licensing Officer to clarify matters relating to the application and the Licensing Policy.

- 11) The Chair may give permission for any party to question another party in the order of representations given above.

#### CASE SUMMARIES

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

#### DELIBERATION AND DECISION

- 15) The Sub-Committee may retire to consider its decision. The Committee Clerk and Legal Officer will remain with the Sub-Committee.

- 16) If the Sub-Committee retires, all parties should remain available to provide further information or clarification.

- 17) The chair will announce their decision giving reasons and any conditions to be attached to the licence. All parties will be informed of the decision in writing.

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London Borough of Islington

## **Licensing Sub Committee D - 31 January 2017**

Minutes of the meeting of the Licensing Sub Committee D held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 31 January 2017 at 6.30 pm.

**Present:**            **Councillors:**            Wayne (Chair) and Spall and Williamson

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

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

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

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

Apologies for absence were received from Councillor Satnam Gill.

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

Councillor Flora Williamson for Councillor Satnam Gill.

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

None.

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

The order of business would be as the agenda.

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

##### **RESOLVED:**

That the minutes of the meeting held on 6 December 2016 be confirmed as a correct record and the Chair be authorised to sign them.

#### **166        BURGER LOBSTER, 38-42 ST JOHN STREET, EC1M 4AY - PREMISES LICENCE VARIATION (Item B1)**

The licensing officer advised that references to 'Sunday to Monday' at paragraph 1.2 of the report should read 'Monday to Sunday'. It was also clarified that the applicant was seeking to add one hour to the terminal hour of licensable activities and the closing time of the premises on the morning that Greenwich Mean Time changes to British Summer Time.

The licensing authority stated that the premises was in the Clerkenwell cumulative impact area. The applicant was seeking to reinstate the licensable hours previously in operation before the licensable hours were reduced in November 2014 following the introduction of the late night levy. It was noted that the Police had suggested additional conditions relating to CCTV equipment, and the Noise Team had suggested amended conditions relating to noise.

The Police did not consider the current licence to be fit for purpose for a venue carrying out licensable activity until 04:00am. It was commented that the Police contacted the applicant in mid-December 2016 to enquire about plans for the premises, door supervisor arrangements, and further details of the operating schedule; however the Police had not been able to meet with the applicant. The Police reported that the applicant would accept additional conditions suggested in relation to the operation of CCTV equipment; however the Police maintained their objection to the application due to the insufficient information received on other aspects of the application.

Following a question, it was advised that the Police was aware that there may be a change of ownership to the premises.

The Licensing Authority stated that, although the premises previously had later licensable hours, in practice the premises had not previously operated to the full extent of its licence, and for this reason it was considered that a late licence had not been adequately tested at the premises. It was also commented that the applicant had not demonstrated sufficient knowledge of the licensing objectives and an understanding of the risks to the cumulative impact area. The Licensing Authority would expect additional information and conditions to be offered in relation to door supervision, dispersal arrangements, vertical drinking, PubWatch schemes and work with Parkguard. For this reason the Licensing Authority considered that the application should be refused.

The applicant's representative circulated a skeleton argument to the Sub-Committee which contained an appraisal of cumulative impact issues. It was confirmed that this had previously been received by the Police.

The applicant's representative advised of a possible change of ownership to the premises. If the ownership of the premises was to change then the operating hours and staffing arrangements would need to be confirmed, however in either case the premises would offer substantial food at all times, last entry would be two hours before the terminal hour, and at least one SIA qualified member of staff would be on the premises after 11:00pm. It was commented that the resident representations received did not raise issue with how the current business operated, and it was acknowledged that the premises' dispersal policy was in need of updating. It was suggested that this could be agreed with the Licensing Authority through conditions.

Following a question, the applicant advised that he had received an offer from a potential buyer of the premises, however the sale value had been agreed with reference to the previous licensable hours. For this reason the applicant was seeking to reinstate the previous licensable hours.

The Sub-Committee queried why a food-led venue would wish to open until 04:00am. In response the proposed new owner of the premises advised that he intended to operate a high-class venue and wanted to be flexible to his patrons' needs. Although it was acknowledged that few customers would want food in the early morning, it was suggested that shift workers may wish to eat at different times.

Following a question, the proposed new owner advised that whilst substantial food would be available at all times, it was not intended for alcohol to only be available with food.

The Sub-Committee asked how the application would not adversely impact the cumulative impact area. In response, the proposed new owner advised that he would operate a high-class venue which would not attract antisocial behaviour. It was commented that the price of alcohol at the premises would mean that customers were unlikely to consume large quantities of alcohol.

In response to a question, the proposed new owner advised that he had worked in the sector since 2003 and had been a DPS since 2006. He had considerable management experience and operated a number of premises across London.

In summary, the Police advised that they had not heard enough to satisfy them that the grant of the application would not undermine the licensing objectives. The Licensing Authority had no further comments.

The Noise Team circulated a suggested dispersal plan. The applicant advised that they did not envisage any difficulty in complying with the suggested plan.

The applicant stated that the licensable hours applied for had not presented any issues when they were previously in operation at the premises and the premises had operated successfully for a number of years. The premises was to operate primarily as a high-class restaurant with substantial food available at all times. Last entry would be two hours before the terminal hour and the proposed owner was an experienced manager of licensed premises. It was reported that, should the sale of the premises proceed, staff would likely be transferred by TUPE and the DPS would likely remain the same. It was commented that the DPS had an extensive knowledge of the premises and local area.

**RESOLVED:**

The Sub-Committee decided to refuse the application for a variation of the premises licence in respect of Burger Lobster, 38-42 St Johns Street, EC1M 4AY

**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 and Home Office Guidance 13.30. The premises falls within the Clerkenwell cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for variations to 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 well outside core hours for restaurants and cafes suggested by Licensing Policy 8.

The representative for the applicant emphasised that the variation was to restore licensing hours which were reduced on application in 2014. However, the Police and Responsible Authorities gave clear evidence that increasing the hours would be likely to have a negative cumulative impact on crime and disorder and public nuisance.

The Sub-Committee also noted the response by the prospective owner that although food would be available it would be possible to simply order a drink without eating.

The Sub-Committee concluded that granting this variation would be likely to impact on the licensing objectives of public nuisance and crime and disorder.

The applicant had failed to demonstrate in the Operating Schedule that there would be no negative cumulative impact on the licensing objectives. Under licensing policy 9 paragraph 67 the operating schedule must include all information necessary to enable the Licensing Authority and Responsible Authorities to assess whether the steps outlined for the promotion of the licensing objectives are satisfactory. The applicant had failed to demonstrate an awareness of risks, for example by a Risk Assessment, a knowledge of the local area, or the reasons for the special policy.

The applicant placed reliance on the fact that the premises previously had extended hours. The Police made the point that the conditions on the licence were not fit for purpose. Although the premises previously had later licensable hours, in practice the premises had not previously operated to the full extent of its licence, and for this reason the Licensing Authority considered that a late licence had not been adequately tested at the premises. The extended hours had been used by what had been a French restaurant some years ago, however this appeared to be a different sort of business model. The new owner had yet to confirm his policies and staff. The conditions offered at the hearing had been vague and insufficient information had been given to satisfy the responsible authorities.

There appeared to be no exceptional circumstances why this application should be granted. The fact that the prospective owner had experience of operating similar premises elsewhere could not be regarded as exceptional (licensing policy 2, paragraph 7). However, there would be no legal reason why the applicant should not make a further application if able to give detailed proposals in the Operating Schedule.

The Sub-Committee concluded that it was proportionate and appropriate to the licensing objectives and in the public interest to refuse the application.

**167**

**CANAS Y TAPAS, 72 UPPER STREET, N1 0NY - PREMISES LICENCE REVIEW (Item B2)**

The licensing officer advised that the Police had applied for a review of the premises licence following a series of violent incidents at the premises. An additional submission had been received from the Police in relation to a GBH incident at the premises on 15 January 2017. It was also noted that the licensee had submitted proposed revised conditions, which are set out as an appendix to these minutes.

The Police reported that the premises had been poorly managed over the past 18 months, noting that the licensee had refused Police advice and neither the licensee nor the DPS had contacted the Police in relation to incidents at the premises. The Police summarised the violent incidents occurring at the premises and reported that since the review had been submitted there had been three further GBH incidents and one common assault at the premises. Given the history of disturbances at the premises and the lack of commitment from the licensee and DPS to address these adequately, the Police requested that the licence be revoked.

Following a question, the Police advised that all violent incidents had occurred around midnight or later, and the premises seemed to operate without incident during the day and evening.

In response to a question, it was advised that the venue was associated with a disproportionate number of violent incidents for a venue of its size.

The Licensing Authority shared the concerns of the Police, commenting that the seriousness and frequency of violent incidents at the premises was not acceptable. The Licensing Authority considered that the conditions proposed by the applicant were not extensive enough and suggested that they would not be confident that the premises was being managed responsibly so long as the licensee and DPS were involved in the running of the premises.

The Health Authority considered that the premises had not been managed responsibly and noted that there was a high level of violence and drunkenness associated with the premises. There had been a significant number of ambulance call outs to the vicinity of the venue, with 84 call outs within 250 metres of the premises in the previous 12 months. The Health Authority supported the Police's application for a review and suggested that, if the Sub-Committee was minded to retain the licence, then additional conditions restricting the use of glasses and glass bottles at the venue and restricting entry to those aged 21 and over would be appropriate.

Trading Standards reported concerns about underage patrons in the premises, suggesting that restricting entry to those aged 21 and over would be appropriate. It was suggested that an additional condition requiring the adoption of 'Challenge 25' and relevant training would be appropriate.

The Noise Team advised that the out of hours service had received intermittent calls related to the premises. The application for review was supported.

The licensee's representative advised that Canas Y Tapas had ceased trading and heads of terms for the sale of the premises had been agreed on 26<sup>th</sup> January 2017. It was reported that the premises had been sold at a significant loss to the owner, who was unable to attend the meeting due to illness. It was advised that the premises was to be sold to Coral Trading Ltd, the owners of the neighbouring La Forchetta Ristorante. It was commented that the proposed owners were experienced restaurateurs and well known in the local area. It was advised that it was intended to operate the premises as a family-friendly Greek restaurant, and this was reflected in the proposed additional conditions submitted by the applicant. Given that Canas Y Tapas had ceased trading, the licensee's representative contended that revoking the license would serve no purpose. The licensee's representative also contended that it would not be appropriate for a family restaurant to have conditions to restrict entry to those aged 21 and over and restrict the use of glass.

The Committee queried, if the premises was to be operated as a restaurant, why there was not a condition to ensure that alcohol was only served with a substantial meal, served at a table by a waiter. In response, it was advised that the licensee and the proposed new owners would be agreeable to such a condition.

In response to a question, the licensee's representative confirmed that the licensee did not challenge the evidence presented by the Police and fully accepted responsibility for the inadequate management of the premises.

The responsible authorities summarised their positions. The Police commented that they had no objection in principle to a family-friendly restaurant operating at the premises, subject to appropriate conditions. The Licensing Authority commented that it had not yet received evidence of sale of the premises. Trading Standards suggested that revocation of the licence and submission of a new licence application would allow all matters to be fully

considered. The Noise Team suggested that any restaurant would need to have appropriate restaurant conditions.

The licensee's representative summarised his client's position and contended that retaining the licence with the addition of appropriate restaurant conditions would be proportionate.

**RESOLVED:**

That the licence be modified to incorporate the conditions submitted by the licensee; and the following additional conditions:

1. Mr Andrew Zacharia and Mr Parvez Bhatti to be removed from the involvement in management and day to day activities on the premises.
2. No licensable activities to take place at the premises before the licensing authority has confirmed in writing that it has received satisfactory evidence of a sale of the premises to Coral Trading Limited.
3. Alcohol shall only be served in conjunction with a substantial meal, served at a table by a waiter.
4. No vertical drinking.
5. No unaccompanied children under the age of 16 at any time.

**REASONS FOR DECISION**

The Sub-Committee gave serious consideration to a revocation or suspension of the licence, given the appalling incidents of violent disorder involving underage patrons at the premises late at night, and the failure of the existing DPS and owner to engage with the Responsible Authorities on matters of advice, specific incidents, or to comply with conditions.

The Sub-Committee listened to all the evidence and submissions and read all the material. It took into account the impending sale of the premises to an experienced operator (Coral Trading Limited) and the fact that the premises was no longer operating.

The Sub-Committee concluded that the public interest could be protected and the licensing objectives could be promoted by modifying the conditions on the licence to ensure that current management had no involvement in the premises at all and that the premises operated as a restaurant during core hours only. It also needed assurance that the sale to Coral Trading Limited would actually complete.

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 formed the view that due to the developments outlined by the applicant's representative and his acknowledgement of the existing problem, modifying the conditions of the licence was proportionate and appropriate to the licensing objectives and in the public interest.

The meeting ended at 7.45 pm

**CHAIR**



**Appendix - Proposed conditions submitted by the licensee; Canas y Tapas, 72 Upper Street, Islington, N1 0NY**

**In the matter of the review hearing for; Canas y Tapas, 72 Upper Street, Islington, N1 0NY.**

After reviewing the evidence and documentation in relation to the review application and taking into consideration the suggested changes to the existing premises licence, we confirm that in the spirit of working together with the Responsible Authorities our client will agree to the following;

1. Mr Andrew Zacharia will be removed as the DPS and replaced accordingly.
2. The premises licence holder will instruct a new door supervision team which is registered with the approved contractor scheme and will be SIA registered.
3. Amend the opening and licensable activities hours as follows:
  - a. Provision of regulated entertainment (live music); Sunday to Thursday 09.00-23.00 hours; Friday and Saturday 09.00-Midnight.
  - b. Provision of regulated entertainment (recorded music); Sunday to Thursday 08.00-23.00 hours; Friday and Saturday 08.00-Midnight.
  - c. Provision of regulated entertainment (performance of Dance); Sunday to Thursday 09.00-23.00 hours; Friday and Saturday 09.00-Midnight.
  - d. Provision of Late Night Refreshment; Friday and Saturday 23.00-Midnight.
  - e. Sale of alcohol (for consumption on the premise); Sunday to Thursday 08.00-23.00 hours; Friday and Saturday 08.00-Midnight.
  - f. Opening hours; Sunday to Thursday 08.00-23.00 hours; Friday and Saturday 08.00-Midnight.

\*the terminal hours shown above are in accordance with the hours for restaurant, cafes and bars as per Islington Council's Statement of Licensing Policy and as requested by the Police and Responsible Authorities in the review application.

4. Remove the condition reference CCTV and shown at point 17 on the premises licence (annex 2 – conditions consistent with the operating schedule) and replace with; "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 front exterior of the premise (entrance and exit) 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 police officer (subject to the Data Protection 1998) within 24 hours 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 1 day of business then the Police must be informed.
5. The premises licence holder agrees to add the following conditions to the premises licence:
  - a. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

- b. A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.
- c. An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.
- d. A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.



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

| Meeting of              | Date          | Agenda Item | Ward(s) |
|-------------------------|---------------|-------------|---------|
| Licensing Sub-Committee | 21 March 2017 |             | Bunhill |

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

**Subject:** PREMISES LICENCE VARIATION APPLICATION  
SHOREDITCH GRIND, 213 OLD STREET, LONDON, EC1M 4AY

### 1. Synopsis

- 1.1 This is an application for the variation of a premise licence under the Licensing Act 2003.
- 1.2 The premises currently holds a licence allowing:
  - the sale of alcohol for consumption on the premises: 12:00 to 23:00 Sunday to Thursday and 12:00 to 01:00 Friday and Saturday;
  - the provision of late night refreshment: 23:00 to 01:00t Friday and Saturday;
  - opening hours of the premises are not specified;
- 1.3 The variation application is to:
  - Add recorded music from 23:00 to 01:00 Friday and Saturday.

### 2. Relevant Representations

|                     |                        |
|---------------------|------------------------|
| Licensing Authority | No                     |
| Metropolitan Police | No – Conditions Agreed |
| Noise               | No – Conditions Agreed |

|                       |         |
|-----------------------|---------|
| Health and Safety     | No      |
| Trading Standards     | No      |
| Public Health         | No      |
| Safeguarding Children | No      |
| London Fire Brigade   | No      |
| Local residents       | Yes – 3 |
| Other bodies          | No      |

### **3. Background**

#### **3.1 Papers are attached as follows:-**

- Appendix 1: application form; and current premises licence
- Appendix 2: representations;
- Appendix 3: documents submitted by the applicant;
- Appendix 4 suggested conditions and map of premises location.

3.2 The premises has been licensed since June 2012 and the current licensee has held the licence since it was granted.

3.3 Three local residents have submitted representations.

3.4 The premises currently takes advantage of the de-regulation of recorded music afforded them under the Live Music Act 2012 whereby the holder of a premises licence to sell alcohol for consumption on the premises can play recorded music between the hours of 08:00 and 23:00.

3.5 The Metropolitan Police and the Council's Pollution Team put forward conditions during the consultation period and the applicant accepted those conditions.

3.6 It has subsequently been agreed between the applicant and the Pollution Team that the condition proposed in the application will replace Annex 2 Condition 13 on the premises licence. (See Annex 4 below)

### **4. Planning Implications**

4.1 The Planning Service has not made any adverse comments.

### **5 Recommendations**

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

5.2 To consider the representation from the Police in the light of the revised Secretary of State Guidance to Local Authorities issued on 25th April 2012 namely that the Licensing Authority should accept all reasonable and proportionate representations made by the Police unless the Authority has evidence that to do so would not be appropriate for the promotion of the Licensing Objectives.

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

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

9/3/17

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

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

W5K/160039564.

The Licensing Act 2003 (Forms) (Amendment) Regulations 2013 - Schedule 1, Regulation 3

Insert name and address  
of relevant licensing  
authority and its  
reference number  
(optional)

The Licensing Service  
Islington Council

21/12/16

OK

LIC4

21/12

Appendix: 1

## Application to vary a premises licence 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.

✓

**X** We Caffeine Machine Limited  
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number  
LN/13684-140612

### Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description  
Shoreditch Grind  
213 Old Street

Post town London

Post code EC1V 9NR

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 25,750.00

### Part 2 - Applicant Details

Daytime contact telephone  
number

E-mail address (optional)

✓

Current postal address if  
different from premises  
address

Caffeine Machine Limited  
8 - 10 New North Place

Post town

London

Post code EC2A 4JA

### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒

Yes

☐

No

If not, from what date do you want the variation to take effect?

DD

MM

YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

☐

Yes

☐

No

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The addition of recorded music between the hours of 23.00 and 01.00 on Friday and Saturday with the addition of the following 2 conditions:

1. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
2. In the event of a noise complaint relating to amplified sound substantiated by authorised officers the licensee shall reduce all levels of amplified sound at the premises to ambient background levels of sound until such works to include the installation of a noise limiter and an agreement on maximum music levels inside the premises is arrived at to the satisfaction of the Pollution Team.

To vary the registered office address of Caffiene Machine Limited.

### Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

#### Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

☐  
☐  
☐  
☐  
☐  
☒  
☐  
☐

Provision of late night refreshment (if ticking yes, fill in box I)

☐

Supply of alcohol (if ticking yes, fill in box J)

☐

In all cases complete boxes K, L and M

# A

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

# B

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



# C

|   |       |        |  |
|---|-------|--------|--|
| <b>Indoor sporting events</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Please give further details</b> (please read guidance note 4)   |
| Day   | Start | Finish |  |
| Mon   |       |        |  |
| Tue   |       |        | <b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)  |
| Wed   |       |        |  |
| Thur  |       |        | <b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 6) |
| Fri   |       |        |  |
| Sat   |       |        |  |
| Sun   |       |        |  |

# D

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

# E

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

# F

|   |       |        |   |  |          |                                     |
|---|-------|--------|---|--|----------|-------------------------------------|
| <b>Recorded music</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the playing of recorded music take place indoors or outdoors or both - please tick</b> (please read guidance note 3)  |  | Indoors  | <input checked="" type="checkbox"/> |
|   |       |        |   |  | Outdoors | <input type="checkbox"/>            |
|   |       |        |   |  | Both     | <input type="checkbox"/>            |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 4)   |  |          |                                     |
| Mon   |       |        |   |  |          |                                     |
| Tue   |       |        |   |  |          |                                     |
| Wed   |       |        | <b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)  |  |          |                                     |
| Thur  |       |        |   |  |          |                                     |
| Fri   | 23.00 | 01.00  |   |  |          |                                     |
| Sat   | 23.00 | 01.00  | <b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6) |  |          |                                     |
| Sun   |       |        |   |  |          |                                     |
|   |       |        |   |  |          |                                     |

# G

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

# H

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

J

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

J

|  |       |        |   |   |
|--|-------|--------|---|---|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the supply of alcohol be for consumption</b><br><u>- please tick</u> (please read guidance note 8)  | On the premises <input type="checkbox"/>  |
| Day  | Start | Finish |   | Off the premises <input type="checkbox"/> |
| Mon  |       |        | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)  | Both <input type="checkbox"/>             |
|  |       |        |   |   |
| Tue  |       |        |   |   |
|  |       |        |   |   |
| Wed  |       |        |   |   |
|  |       |        |   |   |
| Thur   |       |        | <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6) |   |
|  |       |        |   |   |
| Fri  |       |        |   |   |
|  |       |        |   |   |
| Sat  |       |        |   |   |
|  |       |        |   |   |
| Sun  |       |        |   |   |
|  |       |        |   |   |

# K

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

# L

|  |       |        |  |
|--|-------|--------|--|
| <b>Hours premises are open to the public</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>State any seasonal variations</b> (please read guidance note 5)<br>Not specified  |
| Day  | Start | Finish | <b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b><br>(please read guidance note 6) |
| Mon  |       |        |  |
|  |       |        |  |
| Tue  |       |        |  |
|  |       |        |  |
| Wed  |       |        |  |
|  |       |        |  |
| Thur   |       |        |  |
|  |       |        |  |
| Fri  |       |        |  |
|  |       |        |  |
| Sat  |       |        |  |
|  |       |        |  |
| Sun  |       |        |  |
|  |       |        |  |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

☒  
☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

## M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

In addition to the conditions listed on page 2 all existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

b) The prevention of crime and disorder

In addition to the conditions listed on page 2 all existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

**c) Public safety**

In addition to the conditions listed on page 2 all existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

**d) The prevention of public nuisance**

In addition to the conditions listed on page 2 all existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

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

In addition to the conditions listed on page 2 all existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

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

**Part 5 - Signatures** (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

|           |  |
|-----------|--|
| Signature | <i>Joelson</i>   |
| Date      | 21 December 2016   |
| Capacity  | Joelson JD LLP Solicitors for and on behalf of the Applicant |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

|  |               |                   |
|--|---------------|-------------------|
| Signature  |               |                   |
| Date   |               |                   |
| Capacity   |               |                   |
| Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)<br>Mark McDermott<br>Joelson JD LLP Solicitors<br>30 Portland Place |               |                   |
| Post town London   |               | Post code SE1 9RA |
| Telephone number (if any)  | 020 7580 5721 |                   |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional)<br>mark.m@joelsonlaw.com   |               |                   |





## PREMISES LICENCE LICENSING ACT 2003

|                         |                |                         |              |
|-------------------------|----------------|-------------------------|--------------|
| Premises licence number | LN/3684-310316 | Date of original grant* | 19 June 2012 |
|-------------------------|----------------|-------------------------|--------------|

*\*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 |               |           |          |
| <b>SHOREDITCH GRIND</b>  |               |           |          |
| <b>213 OLD STREET</b>  |               |           |          |
| Post town  | London        | Post code | EC1V 9NR |
| Telephone number   | 020 7490 7490 |           |          |

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

|  |
|--|
| Licensable activities authorised by the licence  |
| Ground Floor, including outdoor seating area   |
| <ul style="list-style-type: none"> <li>The provision of late night refreshment</li> <li>The sale by retail of alcohol</li> </ul> |

|   |        |       |       |                   |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
|---|--------|-------|-------|-------------------|-------------------|----------|-------|----|-------|-------------------|--------|-------|----|-------|--|---------|-------|----|-------|--|-----------|-------|----|-------|--|----------|-------|----|-------|--|--------|-------|----|-------|-------------------|----------|-------|----|-------|-------------------|--------|-------|----|-------|--|
| The times the licence authorises the carrying out of licensable activities  |        |       |       |                   |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Delete any that do not apply  |        |       |       |                   |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| <ul style="list-style-type: none"> <li>The provision of late night refreshment:           <table> <tr> <td>Friday</td> <td>23:00</td> <td>to</td> <td>01:00</td> <td>the following day</td> </tr> <tr> <td>Saturday</td> <td>23:00</td> <td>to</td> <td>01:00</td> <td>the following day</td> </tr> </table> </li> <li>The sale by retail of alcohol:           <table> <tr> <td>Monday</td> <td>12:00</td> <td>to</td> <td>23:00</td> <td></td> </tr> <tr> <td>Tuesday</td> <td>12:00</td> <td>to</td> <td>23:00</td> <td></td> </tr> <tr> <td>Wednesday</td> <td>12:00</td> <td>to</td> <td>23:00</td> <td></td> </tr> <tr> <td>Thursday</td> <td>12:00</td> <td>to</td> <td>23:00</td> <td></td> </tr> <tr> <td>Friday</td> <td>12:00</td> <td>to</td> <td>01:00</td> <td>the following day</td> </tr> <tr> <td>Saturday</td> <td>12:00</td> <td>to</td> <td>01:00</td> <td>the following day</td> </tr> <tr> <td>Sunday</td> <td>12:00</td> <td>to</td> <td>23:00</td> <td></td> </tr> </table> </li> </ul> | Friday | 23:00 | to    | 01:00             | the following day | Saturday | 23:00 | to | 01:00 | the following day | Monday | 12:00 | to | 23:00 |  | Tuesday | 12:00 | to | 23:00 |  | Wednesday | 12:00 | to | 23:00 |  | Thursday | 12:00 | to | 23:00 |  | Friday | 12:00 | to | 01:00 | the following day | Saturday | 12:00 | to | 01:00 | the following day | Sunday | 12:00 | to | 23:00 |  |
| Friday  | 23:00  | to    | 01:00 | the following day |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Saturday  | 23:00  | to    | 01:00 | the following day |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Monday  | 12:00  | to    | 23:00 |                   |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Tuesday   | 12:00  | to    | 23:00 |                   |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Wednesday   | 12:00  | to    | 23:00 |                   |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Thursday  | 12:00  | to    | 23:00 |                   |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Friday  | 12:00  | to    | 01:00 | the following day |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Saturday  | 12:00  | to    | 01:00 | the following day |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |
| Sunday  | 12:00  | to    | 23:00 |                   |                   |          |       |    |       |                   |        |       |    |       |  |         |       |    |       |  |           |       |    |       |  |          |       |    |       |  |        |       |    |       |                   |          |       |    |       |                   |        |       |    |       |  |

|  |
|--|
| The opening hours of the premises: Not specified |
|--|

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

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

Caffeine Machine Ltd  
Third Floor  
26 Ganton Street  
London  
W1F 7QZ  
020 7287 2126  
Danielle@grindandco.com

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

07444978

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



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

L B Redbridge 044711

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

  
Service Manager (Commercial)

5/4/16  
Date of Issue

## **Annex 1 - Mandatory conditions**

1. No supply of alcohol may be made under the premises licence:
  - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.

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](http://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. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
2. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
3. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
4. Refuse will be stored in secure containers to the rear of the premises.
5. Refuse such as bottles must be placed into receptacles outside the premises at time that will minimise the disturbance to nearby properties.
6. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.
7. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
8. The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.
9. No deliveries of alcohol or collections of empty bottles shall occur between 10pm and 7am on any day, or before 9am on Sundays and Bank Holidays. There shall be no stacking, storage, discarding or disposing of empty bottles, ready for collection between the hours of 10pm and 7am on any day, or before 9am on Sundays and Bank Holidays.
10. Signs shall be displayed both inside and outside of the premises at conspicuous locations requesting that customers be quiet when leaving and/or using the rear paved area.
11. There shall be no music played outside in the paved area.

12. Tables and chairs shall be made unusable either by stacking or folding away and secured so as not to be inappropriately used by members of the public by 11pm. No drinks or food shall be taken outside after 11pm, except for takeaway sales. If noise complaints are received by the licensing authority, substantiated in writing by Council officers, the outside area will not be used for eating or drinking beyond 10pm and tables and chairs shall be made unusable by that time.
13. Following written notification from the licensing authority that a substantiated noise complaint has been received, the premises shall not be used for any regulated entertainment until the Council's Noise Team is satisfied that measures have been taken to prevent further noise nuisance to residents and the licensee has been notified in writing that the measures are accepted by the Council's Noise Team.

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

**Annex 4 – Plans**

Reference Number: LN-13684-310316

Licence

Licensing Service  
Public Protection Division  
222 Upper St  
London N1 1XR  
Attn: Katie Tomashevski

January 11, 2017

Re: License application WK/160039564, Shoreditch Grind, 213 Old Street, EC1V 9NR

Dear Ms Tomashevski,

This matter concerns the latest application from the Shoreditch Grind, 213 Old St, EC1V 9NR, ref. WK/160039564, requesting the extension of music hours for Friday and Saturday. In November of 2016 I had extensive conversations on the matter with your colleague Ms. Brothers, both by phone and by email, some of which are enclosed. As a result of that correspondence, I was contacted by Mr. King of Sharps Redmore, and a noise test was conducted from my premises on November 12, by Mr. Martin Court, of Sharps Redmore (correspondence enclosed). I was to be provided with a copy of the results of the noise test (which I am still awaiting). I have attempted to contact Ms. Brothers by phone but have failed, and as her voicemail message is out of date, I am not sure I could successfully reach her. She is copied on this message.

To summarise, my flat faces the Shoreditch Grind directly. My understanding is that the recent license request concerns playing recorded music inside the premises only, and that no music will be played in the outside seating area. To date, I have only had problems with music from the Shoreditch Grind when their windows were open. Although the extension of the hours may create a different situation, I hope that would not be the case. Providing the level of noise at the perimeter of my residence, during the relevant hours, remains as at present, I have no objections to the license request. However, the purpose of the noise test was precisely to establish the level of present noise, and my understanding is that the maintenance of that noise level, as established, is to be stipulated in the license, if granted, and enforced (e.g. by volume blockers on the speakers if necessary). It is further my understanding that locks would be required on the windows, to ensure that they cannot be opened during the hours at which indoor music is playing, so as to ensure that the noise level is maintained as at present, per the test results. I would be grateful if you could confirm to me that this is indeed the understanding presently associated with that license request. I would be further grateful if I could be provided with the results of the noise test, as originally promised both by Ms. Brothers and by Mr. King of Sharps Redmore.

I would welcome the opportunity to discuss this on the phone, if necessary. A copy of this correspondence has been sent by email to you, to Ms Brothers, and to Mr King of Sharps Redmore.

With kind regards,

**From:** [REDACTED]  
**Subject:** FW: Shoreditch Grind  
**Date:** 10 March 2017 14:52:09

---

Dear Katie

Please see correspondence that [REDACTED] omitted from her rep.  
Can this be included please?

Anne Brothers  
Licensing Noise Liaison Officer  
Pollution Team  
Public Protection Division  
222 Upper Street  
London N1 1XR  
Tel: 020 7527 3047  
Alternative contact: Noise Support Team: 020 7527 7272

[www.islington.gov.uk](http://www.islington.gov.uk)

How to get here:

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

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**From:** [REDACTED]  
**Sent:** 03 November 2016 21:25  
**To:** Brothers, Anne  
**Subject:** Re: Shoreditch Grind

Dear Ms. Brothers:

Thank you very much for this detailed clarification. To date, indoor noise or music from the Shoreditch Grind only bothered me on a handful of occasions, and possibly, as you suggested, because the windows at the Grind were open. Let us hope that continues to be the case. I agree that it would be good to have measurements in place for the noise profile of the area for the relevant

hours and I give my permission to conduct this study, providing I will be given a copy of the results.

This said, I do have a number of concerns. First, my understanding of your message is that the sound limitations, as established by the acoustic noise profile, will be tied to the license? Please confirm that?

My second concern is that I don't know how the presumed sound limiter in the Grind will be calibrated. We agreed that the impact of the music, even when played indoors, is very different, from the perspective of my flat, depending on whether the windows at the Grind are open or shut. We are now approaching wintertime, when windows will be shut for quite a while. What happens when spring comes, and the very same indoor noise limiters are in place, but the windows are open? What is to guarantee that I would not be reduced to a protracted new fight with the Shoreditch Grind, to force them to close their windows? What's to assure me that there won't be a need for a whole new set of measurements from the perimeter of my flat, to establish that the noise level, even with noise limiters, is still too much when the windows are open? And if such measurements are required, who is to pay for them?

I have a third, more general concern. The licensing process of the Shoreditch Grind has been a creeping affair. In three years, they have gone from being an espresso bar, to becoming effectively a nightclub, and in doing so, have impacted not only me and my neighbours, but the entire Old Street Roundabout corner which they occupy, where loud drunken crowds now loiter nightly among piles of uncollected trash bags, obstructing the extremely narrow foot passage connecting Old Street and the NW corner of City Rd, bumping into pedestrians standing at crossing lights, and blocking the entrance to the Underground. Cleverly, the Grind has gotten to where they are incrementally, one small licensing step at a time, and I am sure that this is not the end. Excuse me for being cynical about it, but I doubt it is a coincidence that this request for extending their music hours comes in November, precisely when winter is approaching and windows will be closed for six months, and not in May, when the impact of such a license would be immediately in evidence.

It would be good if Islington Council takes a wider view on this issue and consider it not only from the narrow perspective of the noise outside my windows, now or during summertime, but also from the perspective of whether this is Islington's long-term vision of that particular corner of the Old Street Roundabout and whether the planning bodies within the council wish to legitimize this particular tactics of creeping licensing in the absence, or so it would seem, of any long term vision.

Kind regards,

[REDACTED]

On 3 Nov 2016, at 15:26, Brothers, Anne <[Anne.Brothers@islington.gov.uk](mailto:Anne.Brothers@islington.gov.uk)> wrote:

Dear [REDACTED]

As discussed this morning, the licensees are preparing to make a variation in order to permit music as regulated entertainment after 23:00. It is debateable whether this will be a minor variation or a full variation. In the event of a full variation, residents in the vicinity will be consulted as part of the application process. If it is a minor variation, residents will not be consulted. I will discuss this with the Licensing Officer and let you know. The application has not been received yet so we have time to clarify this.

The way the premises runs at present is that they use a deregulation of entertainments as permitted by the Live Music Act up until 23:00, they want to extend their provision of regulated entertainments until their terminal hour of 01:00.

As part of this they have appointed an acoustic consultant to undertake a survey of the noise profile of the area. The reasoning behind this is that the acoustic consultant will set up some equipment 1 metre out from your window and the noise level meter will measure and save all environmental noise measurements in the vicinity.

Using the data from the survey, the premises sound system will be set up so the environmental noise measurements will not be increased by any music from the Shoreditch Grind.

The acoustic consultant is an independent appointed by the premises. He is a fully accredited member of the Institute of Acoustics and I have worked with the company before on other licensed premises in Islington that lead to satisfactory conclusions. The meter would be left outside your window for a 24 hour period by arrangement with you.

Sound levels will be agreed with the premises based on the data gathered by the sound level meter – the most crucial measurements will be between the hours of 23:00 – 01:00 at night.

Sound levels inside will be limited using a sound limiter that will be attached to their sound system. It will be secured and will be tamper-proofed so the agreed maximum levels of sound cannot be increased. Therefore any variation to the hours permitted for regulated entertainments should not impact on you at all.

Please can you give me permission to pass your contact details to the acoustic consultant in order for him to contact you to make arrangements for the survey?

Anne Brothers  
Licensing Noise Liaison Officer  
Pollution Team  
Public Protection Division  
222 Upper Street  
London N1 1XR  
Tel: 020 7527 3047  
Alternative contact: Noise Support Team: 020 7527 7272

[www.islington.gov.uk](http://www.islington.gov.uk)

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<image001.jpg>



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**Williams, John**

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**From:**  
**Sent:** 11 January 2017 13:21  
**To:** Licensing  
**Cc:** Brothers, Anne;  
**Subject:** Shoreditch Grind, license requested for extended music hours

Attn: Katie Tomashevski, Licensing Service

Dear Ms Tomashevski -

This matter concerns the latest application from the Shoreditch Grind, 213 Old St, EC1V 9NR, concerning the extension of recording music hours for Friday and Saturday. In November of 2016 I had extensive conversations on the matter with your colleague Ms. Brothers, both by phone and by email, some of which are enclosed below. As a result of that correspondence, I was contacted by Mr. King of Sharps Redmore, and a noise test was conducted from my premises on November 12, by Mr. Martin Court, of Sharps Redmore. I was to be provided with a copy of the results (which I am still awaiting). I have attempted to contact Ms Brothers by phone (and she is corresponded on that message) but have failed, and as her voicemail message is very much out of date, I am not sure I could successfully reach her.

To summarise, my flat faces the Shoreditch Grind directly. My understanding is that the recent request concerns playing recorded music **INSIDE** the premises only, and that no music will be played in the outside seating area. To date, I have only had problems with music from the Shoreditch Grind when their windows were open. Although the extension of the hours may create a different situation, I hope that would not be the case. Providing the present level of noise, during the relevant hours, remains as at present, I have no objections to the request. However, the purpose of the noise test was precisely to establish the level of present noise, and my understanding is that that noise level is to be stipulated in the license, if granted. It is further my understanding that locks would be required on the windows, to ensure that they cannot be opened during the hours at which indoor music is playing, so as to ensure that the noise level is maintained as at present, per the test results. I would be grateful if you could confirm to me that this is indeed the understanding presently associated with that license request. I would be further grateful if I could be provided with the results of the noise test, as originally promised both by Ms. Brothers and by Mr. King of Sharps Redmore (scroll below for a copy of my original correspondence with Sharps Redmore).

I would welcome the opportunity to discuss this on the phone, if necessary. I am sending this correspondence by regular mail as well.

With kind regards,

*Email correspondence with Ms Brothers:*

**From:** "Brothers, Anne" <[Anne.Brothers@islington.gov.uk](mailto:Anne.Brothers@islington.gov.uk)>  
**Date:** 3 November 2016 at 15:26:29 GMT  
**To:** "  
**Subject:** Shoreditch Grind

Page 32

Dear

As discussed this morning, the licensees are preparing to make a variation in order to permit music as regulated entertainment after 23:00. It is debateable whether this will be a minor variation or a full variation. In the event of a full variation, residents in the vicinity will be consulted as part of the application process. If it is a minor variation, residents will not be consulted. I will discuss this with the Licensing Officer and let you know. The application has not been received yet so we have time to clarify this.

The way the premises runs at present is that they use a deregulation of entertainments as permitted by the Live Music Act up until 23:00, they want to extend their provision of regulated entertainments until their terminal hour of 01:00.

As part of this they have appointed an acoustic consultant to undertake a survey of the noise profile of the area. The reasoning behind this is that the acoustic consultant will set up some equipment 1 metre out from your window and the noise level meter will measure and save all environmental noise measurements in the vicinity.

Using the data from the survey, the premises sound system will be set up so the environmental noise measurements will not be increased by any music from the Shoreditch Grind.

The acoustic consultant is an independent appointed by the premises. He is a fully accredited member of the Institute of Acoustics and I have worked with the company before on other licensed premises in Islington that lead to satisfactory conclusions.

The meter would be left outside your window for a 24 hour period by arrangement with you.

Sound levels will be agreed with the premises based on the data gathered by the sound level meter – the most crucial measurements will be between the hours of 23:00 – 01:00 at night.

Sound levels inside will be limited using a sound limiter that will be attached to their sound system. It will be secured and will be tamper-proofed so the agreed maximum levels of sound cannot be increased. Therefore any variation to the hours permitted for regulated entertainments should not impact on you at all.

Please can you give me permission to pass your contact details to the acoustic consultant in order for him to contact you to make arrangements for the survey?

Anne Brothers  
Licensing Noise Liaison Officer  
Pollution Team  
Public Protection Division  
222 Upper Street  
London N1 1XR  
Tel: 020 7527 3047  
Alternative contact: Noise Support Team: 020 7527 7272

[www.islington.gov.uk](http://www.islington.gov.uk)

### *Email correspondence with Mr Gary King of Sharps Redmore*

On 8 Nov 2016, at 01:42, Gary King  
wrote:

Dear

Thank you for your message, I have left you a voicemail but thought it would be useful to email as well.

The purpose of the assessment consider the impact of varying the licence to permit music between 2300 – 0100 hours on Friday and Saturday nights. No other variation to the licence is being sought and therefore there will be no change to the current situation on Monday – Thursday or Sunday. The Council's noise criteria recommend that we assess the noise against the existing background noise levels, as the only proposed change relates to Friday and Saturday, it is therefore this period which the survey should concentrate on.

I hope the above explains why we have chosen to survey at the weekend, however if you wish to discuss this matter further please give me a call.

Regards

Gary

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**From:**  
**Sent:** 07 November 2016 23:39  
**To:** Gary King  
**Cc:**  
**Subject:** Re: Grind, Shoreditch

Dear Gary and Martin -

Upon further thinking, I would like the sound test to be conducted on a weekday, and not on either Friday or Saturday. The reason is that the area is definitely noisier on weekend nights, not because of music played at the Grind or elsewhere, but because of pedestrians and bar goers. If noise thresholds are established on the basis of weekend nights, I run the real risk of losing my presently very quiet week nights.

Please don't hesitate to call me to discuss this,

Kind regards,

On 7 Nov 2016, at 14:38, Gary King <

wrote:

Dear

Thank you for your swift response.

I have passed your email onto my colleague, Martin, who will contact you directly to confirm the arrangements. Should you have any questions between now and Saturday please do not hesitate to give me a call. Martin's telephone number is

Thanks again for your help.

Kind regards

Gary

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**From:**

**Sent:** 07 November 2016 12:32

**To:** Gary King

**Subject:** Re: Grind, Shoreditch

Dear Gary (if I may) -

Saturday 12th November is fine, providing all is set up by 17:30pm, at which point I would need to leave.

My mobile phone is

Kind regards,

*Sent from my iPad, apologies for any graphical mishaps*

On 7 Nov 2016, at 10:59, Gary King

> wrote:

Dear

I have been passed your details by Anne Brothers, Licensing Noise Liaison Officer at Islington Borough Council.

As Anne has advised we have been instructed by The Grind, to carry out a noise survey to assess the implications of playing of music at their premises in Shoreditch.

We have provisionally arranged to carry out the survey on Saturday 12<sup>th</sup> November. The survey will be carried out by my colleague Martin Court. We would like to set up a sound level meter either on a balcony or with the microphone through an open window, positioned at a location 1m from the building façade. If possible the meter would be set up earlier in the evening and left through the night to be picked up at a convenient time to yourself on Sunday 13<sup>th</sup>.

I understand from Anne that you would like a copy of the results, which I am happy to provide.

I would be grateful if you would provide contact details so we can confirm exact times with yourself. Thank you cooperation and assistance with this matter.

Regards

Gary

Gary King  
Associate

<image001.png>

Sharps Redmore The White House, London Road,  
Copdock, Ipswich, IP8 3JH

[www.sharpsredmore.co.uk](http://www.sharpsredmore.co.uk)

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**From:** Brothers, Anne  
**Sent:** 03 November 2016 15:26  
**To:**  
**Subject:** Shoreditch Grind  
  
**Flag Status:** Flagged

Dear

As discussed this morning, the licensees are preparing to make a variation in order to permit music as regulated entertainment after 23:00. It is debateable whether this will be a minor variation or a full variation. In the event of a full variation, residents in the vicinity will be consulted as part of the application process. If it is a minor variation, residents will not be consulted. I will discuss this with the Licensing Officer and let you know. The application has not been received yet so we have time to clarify this.

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Using the data from the survey, the premises sound system will be set up so the environmental noise measurements will not be increased by any music from the Shoreditch Grind.

The acoustic consultant is an independent appointed by the premises. He is a fully accredited member of the Institute of Acoustics and I have worked with the company before on other licensed premises in Islington that lead to satisfactory conclusions.

The meter would be left outside your window for a 24 hour period by arrangement with you.

Sound levels will be agreed with the premises based on the data gathered by the sound level meter – the most crucial measurements will be between the hours of 23:00 – 01:00 at night.

Sound levels inside will be limited using a sound limiter that will be attached to their sound system. It will be secured and will be tamper-proofed so the agreed maximum levels of sound cannot be increased. Therefore any variation to the hours permitted for regulated entertainments should not impact on you at all.

Please can you give me permission to pass your contact details to the acoustic consultant in order for him to contact you to make arrangements for the survey?

Anne Brothers  
Licensing Noise Liaison Officer  
Pollution Team  
Public Protection Division  
222 Upper Street  
London N1 1XR  
Tel: 020 7527 3047  
Alternative contact: Noise Support Team: 020 7527 7272

[www.islington.gov.uk](http://www.islington.gov.uk)

How to get here:

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

---

**From:** Gary King  
**Sent:** 07 November 2016 14:38  
**To:** H.borer  
**Cc:** Martin Court  
**Subject:** RE: Grind, Shoreditch

Dear

Thank you for your swift response.

I have passed your email onto my colleague, Martin, who will contact you directly to confirm the arrangements. Should you have any questions between now and Saturday please do not hesitate to give me a call. Martin's telephone number is

Thanks again for your help.

Kind regards

Gary

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**From:**  
**Sent:** 07 November 2016 12:32  
**To:** Gary King  
**Subject:** Re: Grind, Shoreditch

Dear Gary (if I may) -

Saturday 12th November is fine, providing all is set up by 17:30pm, at which point I would need to leave.

My mobile phone is

Kind regards,



On 7 Nov 2016, at 10:59, Gary King

wrote:

Dear

I have been passed your details by Anne Brothers, Licensing Noise Liaison Officer at Islington Borough Council.

As Anne has advised we have been instructed by The Grind, to carry out a noise survey to assess the implications of playing of music at their premises in Shoreditch.

We have provisionally arranged to carry out the survey on Saturday 12<sup>th</sup> November. The survey will be carried out by my colleague Martin Court. We would like to set up a sound level meter either on a balcony or with the microphone through an open window, positioned at a location 1m from the building façade. If possible the meter would be set up earlier in the evening and left through the night to be picked up at a convenient time to yourself on Sunday 13<sup>th</sup>.

I understand from Anne that you would like a copy of the results, which I am happy to provide.

I would be grateful if you would provide contact details so we can confirm exact times with yourself. Thank you cooperation and assistance with this matter.

Regards

Gary

Gary King  
Associate

<image001.png>

Sharps Redmore The White House, London Road, Copdock, Ipswich, IP8 3JH

-----  
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-----

**Williams, John**

---

**From:**  
**Sent:** 28 December 2016 11:09  
**To:** Licensing  
**Subject:** Feedback licensing: Shoreditch Grind extended music licence

Hello council team,

Ref: Shoreditch grind, 213 Old Street, ec1v 9NR- 2003 premise licence application variation

Overall licence objection on grounds of a) prevention of crime and disorder & b) public nuisance

I have received as a local resident the request for an extended music licence for this address. My address is .y flat literally sits next to the café (I overlook it, 5 M away), which has been extended to a bar in recent years. I have lived in the area for the past 14 years and although the coffee shop is a great addition the bar area is already very noisy especially in the summer (when they open the back windows) as the noise goes straight into my living area. Many nights I cannot even hear my partner in conversation due to the music below, any later an application would prevent me sleeping in my flat. The café started as a coffee shop. It is a great coffee shop, it is heading towards being a nightclub situated by a residents building. I am sure this is not an aspiration of Islington. Please visit late on a Friday night and you will see.

- a. Prevention of crime and disorder – the area on the roundabout already attracts many people hanging about late at night. Shouting, defecating (urinating and vomit) on the streets and fighting. Further extension of the venue would enable “clubbing” under my living room and further extend the party atmosphere. All of this not only creates more noise and disorder but also attracts characters interested in crime.
- b. Public Nuisance – As per above two parts to nuisance, firstly to the residents of imperial hall and secondly to the police and workers on the streets with extra crime from extra later night party people.

Looking forward to hearing from you.

**Williams, John**

---

**From:**  
**Sent:** 17 January 2017 11:06  
**To:** Licensing  
**Subject:** WK/160039564 - Shoreditch Grind, 213 Old Street, EC1V 9NR  
**Attachments:** IMG\_1314.JPG.zip; IMG\_1312.JPG.zip; IMG\_1315.JPG.zip; IMG\_1318.JPG.zip; IMG\_1317.JPG.zip

Dear Katie and team,

**Shoreditch Grind - opposition to extension of license for both the playing of music and sale of alcohol**

My name is \_\_\_\_\_ which is adjacent to the Shoreditch Grind (the "Grind") and from my living room windows and both my bedroom windows I overlook (and hear, loudly) the Grind.

I have received, as all residents in Imperial Hall have, notice of a request to vary the license of the Grind and extend its already late opening to allow for longer hours to sell alcohol and play music into the early morning.

I am vehemently against this and, for my health and ability to sleep, cannot idly allow this proposed extension to proceed unopposed.

Though there are many reasons I feel this extension should not be allowed (see list below), the core issue is the music played there is *incredibly disruptively* loud and - especially in the summer (though all year round too), when they essentially leave the windows and doors open - I can hear it as if it were in my flat. This leaves it near impossible for me to have my windows / doors open which in turn makes it incredibly hot in my flat. Even with the windows and doors closed, I can still hear the music and people inside and it makes it nigh on impossible to sleep. I have had to call the council a number of times before about it but nothing has changed.

I believe that the license the Grind holds is already too late for a coffee shop and I cannot but fear any further extension will greatly negatively impact my health and well being. I don't believe a local amenity should be having such negative impact on residents and would thus ask for this license extension request to be refused.

I summarise below the long list of issues associated with this request for license amendment.

**The prevention of public nuisance**

1. Music played is far too loud and disrupts sleep and day to day life

- The music played in the Grind is incredibly loud
- This permeates out of the coffee shop and I can hear it from my flat
- This is incredibly frustrating during the day and even now the late license the Grind holds impacts on my ability to sleep
- Any extension to the license would be unbearable for me and seriously impact my ability to sleep and my health as a direct result

2. The Grind leaves its windows and doors wide open allowing music and noise from the customers / staff to be seemingly in my house

- The noise created by the music and people in the Grind is made worse as, throughout much of the year, the coffee shop leaves its newly built and huge windows open all the time
- The music and noise from the customers rises out of the windows / doors and is insufferable
- The sound created and the lack of any barrier means that the noise is seemingly in my flat
- When trying to sleep and even with the use of ear blocks and pillows covering my head, I still can hear nothing but the combined cacophony created by ear-bleed levels of music and the inevitable loud conversation levels of customers use in order to be hear over the sound system
- A later license will simply make it impossible for me to sleep before the Grind closes and I do not believe that a local resident should be required to stay awake until 1am because a coffee shop is trying to turn into a club

Photos from my flat looking at the extremely large Grind window where so much noise emanates from

Photo from outside

### 3. Moving of bins

- There is also a great deal of noise associated with the filling of bins by the Grind
- The clatter of bottle on bottle is a very piercing sound and can be heard all the time
- An extension of the license will simply lead to an ever increasing amount of bottles and glass to be thrown out and cause an ever incremental amount of unbearable noise when bins are filled (and indeed emptied...)
- The bins outside the Grind may also be causing a blockage for residents walking around the piazza

### **Crime and disorder / public safety**

#### 4. Disorder in the street at the time of closing / vomit on the street outside Imperial Hall

- The proposed increase in opening times will very likely lead to people being ever more inebriated
- This in turn clearly poses a risk of disorder in the street when they leave the Grind
- There is already a fair amount of issues on the round about late at night due to drunken behaviour and this would only exacerbate it
- I often leave Imperial Hall in the morning to vomit patches strewn on the pavement between the Grind and the door to the building - this is clearly disgusting
- While I do not solely blame the Grind for this, later opening hours and serving of alcohol will only make this problem worse

#### 5. Noise of the customers leaving or drinking outside / People gathering behind the Grind late at night shouting

- There is already a problem with people gathering near the Grind and making lots and lots of noise outside
- Any extension of the license can only make this worse and further impede my ability to rest peacefully in my own home

### **Summary**

I have owned my flat in Imperial Hall since 2010 (well before the Grind opened, I note) and have lived in the area for many years before. It is only since the Shoreditch Grind has opened and been allowed an alcohol license and late night opening that I have had issues with sleeping due to excessive noise from music, people and bins - all intrinsically linked to the Grind. As such, I must and absolutely do vehemently oppose any extension of the Grind's license to serve alcohol or play music any later than it already does (which is in fact too late and loud already).

I know many other Imperial Hall residents feel the same and I note that as well as my flat, the other flats facing Shoreditch Grind are: \_\_\_\_\_ who will all likely have the same issues as me. Should the license application be progressed I will be left with no alternative than to continue to oppose and would intend to engage my lawyers as this is a HUGE issue for me. Many thanks for your understanding.

Kind regards  
Patrick

---

Phone  
Mobile  
Email

IN THE MATTER OF:

**APPLICATION FOR VARIATION OF A PREMISES LICENCE  
UNDER THE LICENSING ACT 2003  
PREMISES LICENCES – SHOREDITCH GRIND, 213 OLD STREET, LONDON, EC1V 9NR**

---

**BUNDLE OF DOCUMENTS UPON WHICH  
THE PREMISES LICENCE HOLDER WILL  
SEEK TO RELY AT THE HEARING  
AT 6.30 P.M. ON TUESDAY, 23 MARCH 2017**

---

| <b>TAB NO.</b> | <b>DESCRIPTION</b>                                    |
|----------------|---|
| 1.             | Photographs of the Premises                           |
| 2.             | Menus   |
| 3.             | Environmental Noise Report prepared by Sharpe Redmore |

# Appendix 1











# Appendix 2

# GRIND

## BREAKFAST

served until 3pm weekdays / 5pm saturday /  
til close sunday

|  |                  |
|--|------------------|
| Toasted sourdough, house made jam.....   | 2. <sup>50</sup> |
| Banana bread, creme fraiche, honeycomb.....  | 5. -             |
| Porridge, coconut milk, summer berries.....  | 4. <sup>50</sup> |
| Seeds, yoghurt, berries, coconut, agave.....   | 4. <sup>50</sup> |
| Granola smoothie bowl.....   | 6. <sup>50</sup> |
| with red - mixed berries, coconut, chia seeds  |                  |
| amber - orange, carrot, papaya   |                  |
| green - spinach, kiwi, goji  |                  |
| Smashed avocado with chilli on toast.....  | 5. <sup>50</sup> |
| with smoked salmon.....  | 2. <sup>50</sup> |
| poached egg.....   | 1. <sup>50</sup> |
| prosciutto cotto.....  | 2                |
| feta.....  | 1. <sup>50</sup> |
| Raw breakfast salad.....   | 7. <sup>50</sup> |
| Red cabbage, broccoli, avocado, chilli, duck egg<br>or poached eggs on sourdough         |                  |
| Smoked salmon, eggs.....   | 8. -             |
| Oak-smoked salmon, free range scrambled<br>or poached eggs on sourdough                  |                  |
| Crispy quinoa eggs.....  | 6. <sup>50</sup> |
| Poached eggs rolled in quinoa, tomatoes, rocket, toast                                   |                  |
| The Grind.....   | 10. -            |
| Eggs as you like, sausages, bacon, tomato, mushrooms,<br>white pudding, beans, sourdough |                  |
| Breakfast focaccia.....  | 7. -             |
| Sausage, back bacon, smoked mozzarella,<br>fried egg, aioli                              |                  |

## FRESH PRESSED JUICE

|  |                  |
|--|------------------|
| Green.....                               | 4. <sup>75</sup> |
| Spinach, broccoli, apple, lime, cucumber |                  |
| Red.....                                 | 4. <sup>75</sup> |
| Beetroot, blackberry, banana, apple      |                  |
| Amber.....                               | 4. <sup>75</sup> |
| Orange, carrot, lemon, ginger            |                  |
| Orange.....                              | 3. <sup>50</sup> |

# GRIND

## SMALLS

|   |      |
|---|------|
| Olives.....   | 3.50 |
| Proper handcut chips.....                           | 3.50 |
| Croquettes of San Daniele, smoked mozzarella.....   | 5.50 |
| House made hummous.....                             | 5.50 |
| Charred pepper salsa, sourdough                     |      |
| Padron peppers.....                                 | 4. - |
| Sweet potato wedges, chilli mayo.....               | 4.50 |
| Grind scotch egg.....                               | 6. - |
| Sausage, haggis, free range egg, sauce gribiche     |      |
| Salt pepper squid.....                              | 7. - |
| Deep fried baby squid, courgettes, peppers (GF****) |      |

## SOURDOUGH PIZZA

|  |      |
|--|------|
| Margherita.....                        | 7. - |
| Mozzarella, parmesan, basil            |      |
| Puttanesca.....                        | 7. - |
| Anchovies, capers, olives              |      |
| Americana.....                         | 7. - |
| Salami, oregano, fresh chilli          |      |
| Olivia (vegan).....                    | 7. - |
| Olives, peppers, fresh chilli, parsley |      |

## BURGER & PROPER CHIPS

|   |      |
|---|------|
| Grind House Burger & Chips.....           | 9. - |
| 6oz of beef, cheese, pickle, mustard mayo |      |

# GRIND

## COCKTAILS

|   |      |
|---|------|
| Grind Espresso Martini.....                         | 8.50 |
| Grind House Espresso, Reyka vodka, sugar            |      |
| Hot Flat White Russian.....                         | 8.50 |
| Grind House Espresso, Reyka vodka, Kahlua, milk     |      |
| Espresso Old Fashioned.....                         | 8.50 |
| Grind House Espresso, bourbon, sugar syrup, bitters |      |

|  |      |
|--|------|
| Synth City.....                                      | 8.50 |
| Dark rum, absinthe, orgeat, lemon curd, prosecco     |      |
| Rub A Dub Shrub.....                                 | 8.50 |
| Bourbon, mixed berry shrub, basil                    |      |
| The Nutcracker.....                                  | 8.50 |
| Prune infused vodka, walnut syrup, chocolate bitters |      |
| Starry Eyed Surprise.....                            | 8.50 |
| Sipsmiths VJOP, maraschino, lime, tarragon           |      |
| A Dig At Doris.....                                  | 8.50 |
| Bourbon, triple sec, campari, lemon, sugar           |      |
| Santana-tini.....                                    | 8.50 |
| Mezcal, mango, passion fruit, lime, chilli           |      |
| Agent Flagrant.....                                  | 8.50 |
| Rum, sloe gin, lemon, sage, bergamot essence         |      |
| Channel 213.....                                     | 8.50 |
| Vodka, peach & apple syrup, lavender                 |      |
| Clover Club.....                                     | 8.50 |
| Gin, raspberries, lemon, sugar, egg white            |      |
| Negroni.....   | 8.50 |
| Campari, gin, vermouth                               |      |
| Tommys.....  | 8.50 |
| Tequila, lime, agave                                 |      |
| Old Street Fashioned.....                            | 8.50 |
| Bourbon, sugar, bitters                              |      |

## BEERS & CIDER

|   |      |                                     |      |
|---|------|-------------------------------------|------|
| Fourpure Pilsner <sup>(2/3)</sup> .....   | 4.50 | Fourpure IPA <sup>(2/3)</sup> ..... | 4.50 |
| 40 Feet Unfiltered <sup>(2/3)</sup> ..... | 4.50 | Crate Pale Ale.....                 | 4.-  |
| Peroni.....                               | 4.-  | Corona.....                         | 4.-  |
| Crate Cider.....                          | 4.-  |                                     |      |

# Appendix 3

ACOUSTIC CONSULTANTS • Established 1990



## Project No 1616524

The White House, London Road  
Coppock Ipswich, IP8 3JH  
T 01473 730073  
E [contact@sharpsredmore.co.uk](mailto:contact@sharpsredmore.co.uk)  
W [sharpsredmore.co.uk](http://sharpsredmore.co.uk)

South England (Heart Office).  
North England, Wales, Scotland

— 178 —

$\alpha_1, \alpha_2, \dots, \alpha_n \in \mathbb{R}^n$  are linearly independent vectors in  $\mathbb{R}^n$ .  
 Let  $\alpha_1, \alpha_2, \dots, \alpha_n \in \mathbb{R}^n$  be linearly independent vectors in  $\mathbb{R}^n$ .  
 Let  $\alpha_1, \alpha_2, \dots, \alpha_n \in \mathbb{R}^n$  be linearly independent vectors in  $\mathbb{R}^n$ .  
 Let  $\alpha_1, \alpha_2, \dots, \alpha_n \in \mathbb{R}^n$  be linearly independent vectors in  $\mathbb{R}^n$ .





## **Contents**

---

- 1.0 Introduction
- 2.0 Legal Requirements and Noise Criteria
- 3.0 Noise Survey and Assessment

## **Appendices**

---

- A. Acoustic Terminology
- B. Noise Survey Results

## 1.0 Introduction

- 1.1 Sharps Redmore (SR) has been instructed by Grind & Co to provide acoustic advice in relation to an application to vary the existing premises licence.
- 1.2 The site is located on the north west side of the Old Street/City Roundabout and comprises of the Shoreditch Grind café/bar and associated external space on the ground floor with a small recording studio and office on the first floor. The surrounding area is mixed in character with commercial and office uses predominating. The nearest noise sensitive properties to the site are the residential apartments directly to the north of the site.
- 1.3 The premises currently trades between the following hours:

|                     |                 |
|---------------------|-----------------|
| Monday to Thursday: | 0700 – 2300 hrs |
| Friday:             | 0700 – 0100 hrs |
| Saturday:           | 0800 – 0100 hrs |
| Sunday:             | 0900 – 1900 hrs |
- 1.4 Whilst the premises is currently open until 0100 hours on Friday and Saturday, the premises licences prohibits the playing of music after 2300 hours. Permission is being sought to vary the premises licence to permit the playing of music within the café/bar until 0100 hours in Friday and Thursday i.e in line with the permitted trading hours. No variation of trading hours or use of the outdoor seating area is being sought.
- 1.5 The purpose of this assessment therefore is to determine the impact of the playing of music within the premises between 2300 – 0100 hours, Friday and Saturday on the adjacent residential properties.
- 1.6 Prior to carrying out the survey and assessment, SR contacted the Environmental Health Department at London Borough of Islington. Their comments with regard to the survey and noise criteria and been taken into account in the following assessment.
- 1.7 Section 2.0 contains a discussion of the available methods of assessment and assessment criteria.
- 1.8 Section 3.0 of this report contains details of the environmental noise survey and an assessment of the impact of noise from the development on the surrounding residential properties.
- 1.9 A guide to the acoustic terminology used within the report is included in Appendix A.

## 2.0 Legal Requirements and Noise Criteria

2.1 In line with the statutory requirements contained within the Licensing Act 2003, London Borough of Islington have published its statement of licensing policy which outlines the four main licensing objectives as follows:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm.

2.2 In terms of noise the most relevant section of the licensing policy is Policy 18 which states the following;

*"The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will impose appropriate restrictions or controls on the licence to support undue noise disturbance from licensed premises."*

2.3 The Licensing policy contains no specific objective noise guidance and instead reference is made to Islington Council Advisory Note on Sound Insulation and Noise Control Criteria for Entertainment Licensed Premises.

2.4 For licensed premises where it is proposed to operate at any time between 2300 and 0700, the following criteria are recommended in the Council's Advisory Note:

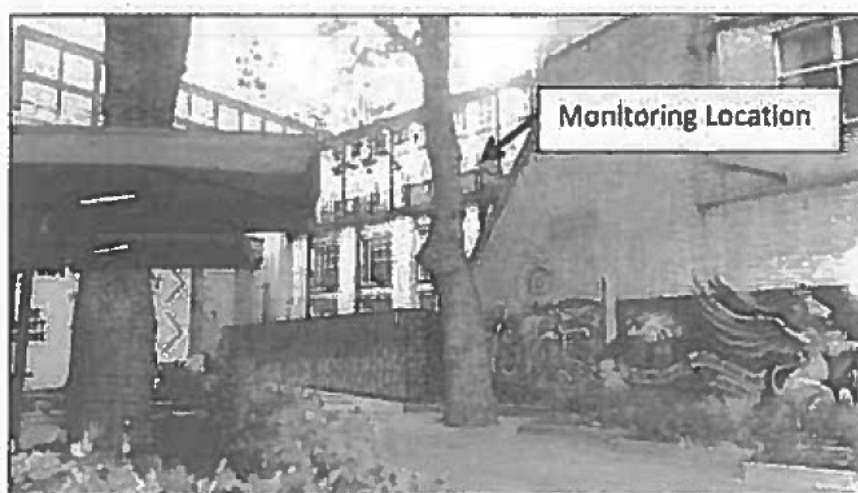
- The music noise shall not cause any increase in the  $L_{A90(1min)}(f)$  when compared with the existing equivalent  $L_{A90(1min)}(f)$ .
- Music noise from the licensed premises shall not cause any increase in the real time simultaneous  $L_{eq(1min)}$  1/1 octave band sound pressure level centred on the frequencies 63 Hz and 125 Hz when compared with the existing equivalent  $L_{eq(1min)}(f)$  taken without the premises in operation.

Measurements are to be taken at 1 metre from the façade of the nearest noise sensitive premises.

### 3.0 Noise Survey and Assessment

- 3.1 A survey was carried out on 12<sup>th</sup> and 13<sup>th</sup> November 2016 to measure music noise levels and existing noise levels between the period 2200 hrs and 0100 hours, these being the periods covering the last hour during which music is currently permitted and also the variation in hours being sought.
- 3.2 The measurement location was agreed and arranged with Ms Anne Brothers, EHO at London Borough of Islington, prior to carrying out the survey and considered representative of the nearest noise sensitive properties to the Grind. The measurement location was approx. 1 metre from the façade of the property as shown in Figure 1 below:

**Figure 1: Monitoring Locations**



- 3.3 Measurements were also recorded within the Grind where is noted that internal noise levels are dominated by people talking and kitchen/bar activity with music limited to background music only. The noise levels recorded within the café are shown in Table 3.1 below:

**Table 3.1: Internal Noise Levels – The Grind, 213 Old Street – 12<sup>th</sup> November 2016**

| Awgt | L <sub>Aeq,1min</sub> Frequency Hz |    |     |     |     |     |     |     |     |
|------|------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|
|      | 32                                 | 63 | 125 | 250 | 500 | 1.0 | 2.0 | 4.0 | 8.0 |
| 83   | 70                                 | 69 | 79  | 76  | 81  | 79  | 76  | 70  | 61  |

- 3.4 In line with the advice contained within Islington Council Advisory Note on Sound Insulation and Noise Control Criteria for Entertainment Licensed premises. The ambient noise levels, L<sub>Aeq,1min</sub>, and background noise levels, L<sub>A90,1min</sub>, were recorded at the monitoring location with and without the music being played. Full details of the results are shown in Appendix B to this report.
- 3.5 To determine the impact of music noise the typical background noise level and ambient noise level with and without music being played has been calculated from the survey data for the periods 2245 – 2315 hours and between 0030 – 0100 hours. The results are shown in Table 3.2 below:

**Table 3.2: Survey Results**

| Time Period       | $L_{A90,1min}$ | $L_{eq,1min}$ |       |        | Comments  |
|-------------------|----------------|---------------|-------|--------|-----------|
|                   |                | $A_{wgt}$     | 63 Hz | 125 Hz |           |
| 2245 – 2315 hours | 58             | 60            | 66    | 65     | Music On  |
|                   | 58             | 62            | 67    | 65     | Music Off |
| 0030 – 0100 hours | 56             | 59            | 64    | 61     | Music On  |
|                   | 56             | 59            | 63    | 60     | Music Off |

- 3.6 As shown above there was no difference in measured noise levels with and without music being played. It is therefore concluded that the playing of music within The Grind would comply with the Islington Councils noise criteria not to increase background noise levels,  $L_{A90,1min}$ , or any increase in the real time simultaneous  $L_{eq(1min)}$  1/1 octave band sound pressure level centred on the frequencies 63 Hz and 125 Hz.

#### Subjective Assessment

- 3.7 In addition to the above a series of observations were made during the survey period both with music playing and with the music switched off. Noise from music at The Grind was inaudible when listened to at adjacent residential properties. This confirms the findings of the objective assessment above.
- 3.8 Following comments from the Environmental Health Department at Islington Council regarding complaints received from local residents a series of measurements were also carried out at a location on the opposite side of the roundabout. Whilst no noise could be heard coming from The Grind, noise from The Magic Roundabout which is located in the centre of the roundabout was clearly audible.
- 3.9 Therefore taking into account both subjective and objective assessments it is concluded that the playing of music at The Grind Café, between 2300 and 0100 hours on Friday and Saturdays nights would not cause undue disturbance to local residents in accordance with Policy 18 of the Council's policy statement.

## **APPENDIX A**

### **ACOUSTIC TERMINOLOGY**

## Acoustic Terminology

- A1 Noise, defined as unwanted sound, is measured in units of decibels, dB. The range of audible sounds is from 0 dB to 140 dB. Two equal sources of sound, if added together will result in an increase in level of 3 dB, i.e.  $50 \text{ dB} + 50 \text{ dB} = 53 \text{ dB}$ . Increases in continuous sound are perceived in the following manner:
- 1 dB increase - barely perceptible.
  - 3 dB increase - just noticeable.
  - 10 dB increase - perceived as twice as loud.
- A2 Frequency (or pitch) of sound is measured in units of Hertz. 1 Hertz (Hz) = 1 cycle/second. The range of frequencies audible to the human ear is around 20Hz to 18000Hz (or 18kHz). The capability of a person to hear higher frequencies will reduce with age. The ear is more sensitive to medium frequency than high or low frequencies.
- A3 To take account of the varying sensitivity of people to different frequencies a weighting scale has been universally adopted called "A-weighting". The measuring equipment has the ability automatically to weight (or filter) a sound to this A scale so that the sound level it measures best correlates to the subjective response of a person. The unit of measurement thus becomes dBA (decibel, A-weighted).
- A4 The second important characteristic of sound is amplitude or level. Two units are used to express level, a) sound power level -  $L_w$  and b) sound pressure level -  $L_p$ . Sound power level is an inherent property of a source whilst sound pressure level is dependent on surroundings/distance/directivity, etc. The sound level that is measured on a meter is the sound pressure level,  $L_p$ .
- A5 External sound levels are rarely steady but rise or fall in response to the activity in the area - cars, voices, planes, birdsong, etc. A person's subjective response to different noises has been found to vary dependent on the type and temporal distribution of a particular type of noise. A set of statistical indices have been developed for the subjective response to these different noise sources.
- A6 The main noise indices in use in the UK are:
- $L_{A90}$ : The sound level (in dBA) exceeded for 90% of the time. This level gives an indication of the sound level during the quieter periods of time in any given sample. It is used to describe the "background sound level" of an area.
  - $L_{Aeq}$ : The equivalent continuous sound level in dBA. This unit may be described as "the notional steady noise level that would provide, over a period, the same energy as the Intermittent noise". In other words, the energy average level. This unit is now used to measure a wide variety of different types of noise of an industrial or commercial nature, as well as aircraft and trains.

**L<sub>A10</sub>:** The sound level (in dBA) exceeded for 10% of the time. This level gives an indication of the sound level during the noisier periods of time in any given sample. It has been used over many years to measure and assess road traffic noise.

**L<sub>AMAX</sub>** The maximum level of sound measured in any given period. This unit is used to measure and assess transient noises, i.e. gun shots, individual vehicles, etc.

- A7** The sound energy of a transient event may be described by a term SEL - Sound Exposure Level. This is the L<sub>Aeq</sub> level normalised to one second. That is the constant level in dBA which lasting for one second has the same amount of acoustic energy as a given A weighted noise event lasting for a period of time. The use of this unit allows the prediction of the L<sub>Aeq</sub> level over any period and for any number of events using the equation;

$$L_{AeqT} = SEL + 10 \log n - 10 \log T \text{ dB.}$$

Where

**n** = Number of events in time period T.

**T** = Total sample period in seconds.

- A8** In the open, known as free field, sound attenuates at a rate of 6 dB per each doubling of distance. This is known as geometric spreading or sometimes referred to as the Inverse Square Law. As noise is measured on a Logarithmic scale, this attenuation in distance = 20 Log (ratio of distances), e.g. for a noise level of 60 dB at ten metres, the corresponding level at 160 metres is:

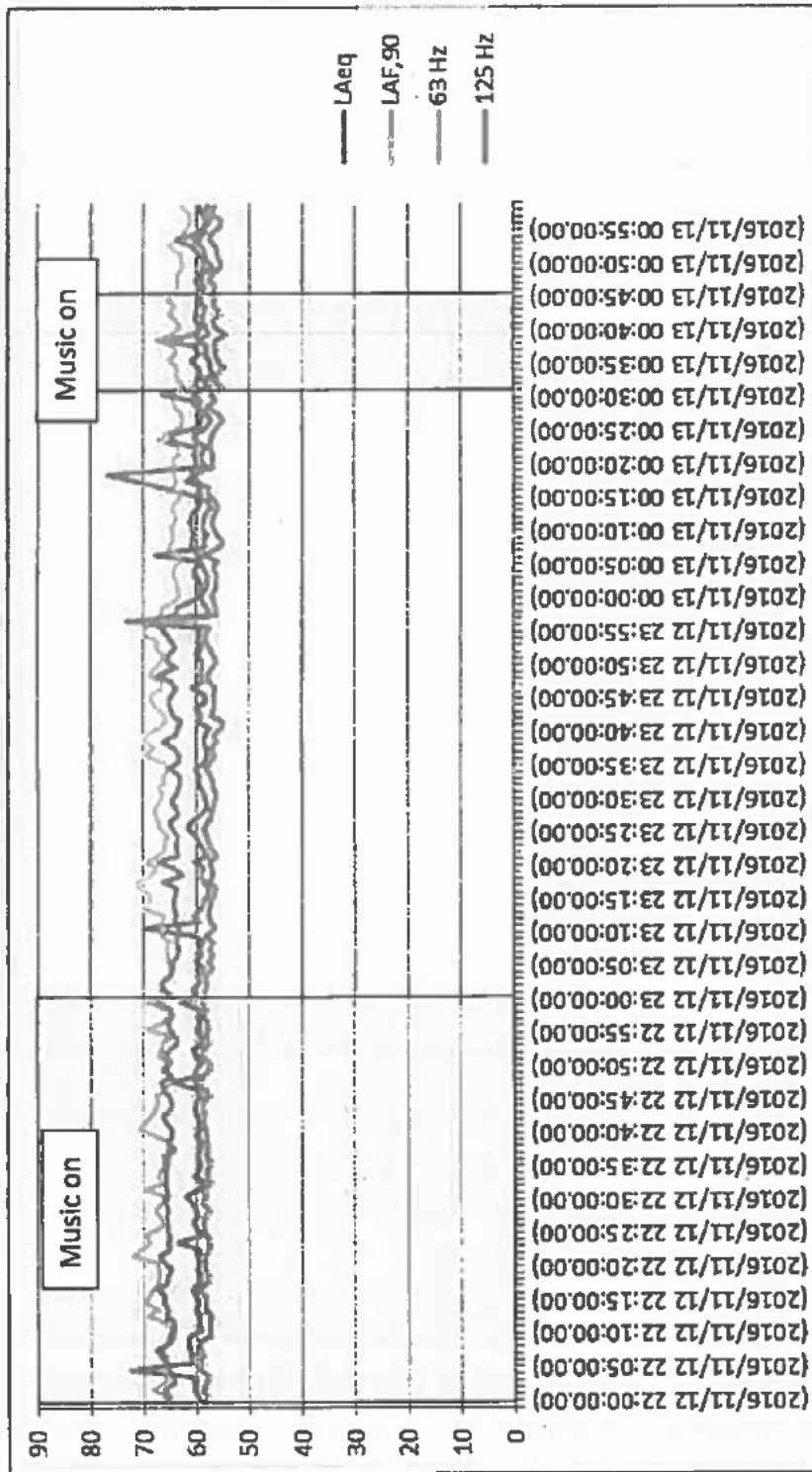
$$60 - 20 \log \frac{160}{10} = 60 - 24 = 36 \text{ dB}$$



## **APPENDIX B**

### **SURVEY RESULTS**

Appendix B: Survey Results 12/13<sup>th</sup> November 2016



**Remove and replace the following condition from the current premises licence**

**Annex 2 Condition 13**

"Following written notification from the licensing authority that a substantiated noise complaint has been received, the premises shall not be used for any regulated entertainment until the Council's Noise Team is satisfied that measures have been taken to prevent further noise nuisance to residents and the licensee has been notified in writing that the measures are accepted by the Council's Noise Team."

**Conditions consisted with the operating schedule**

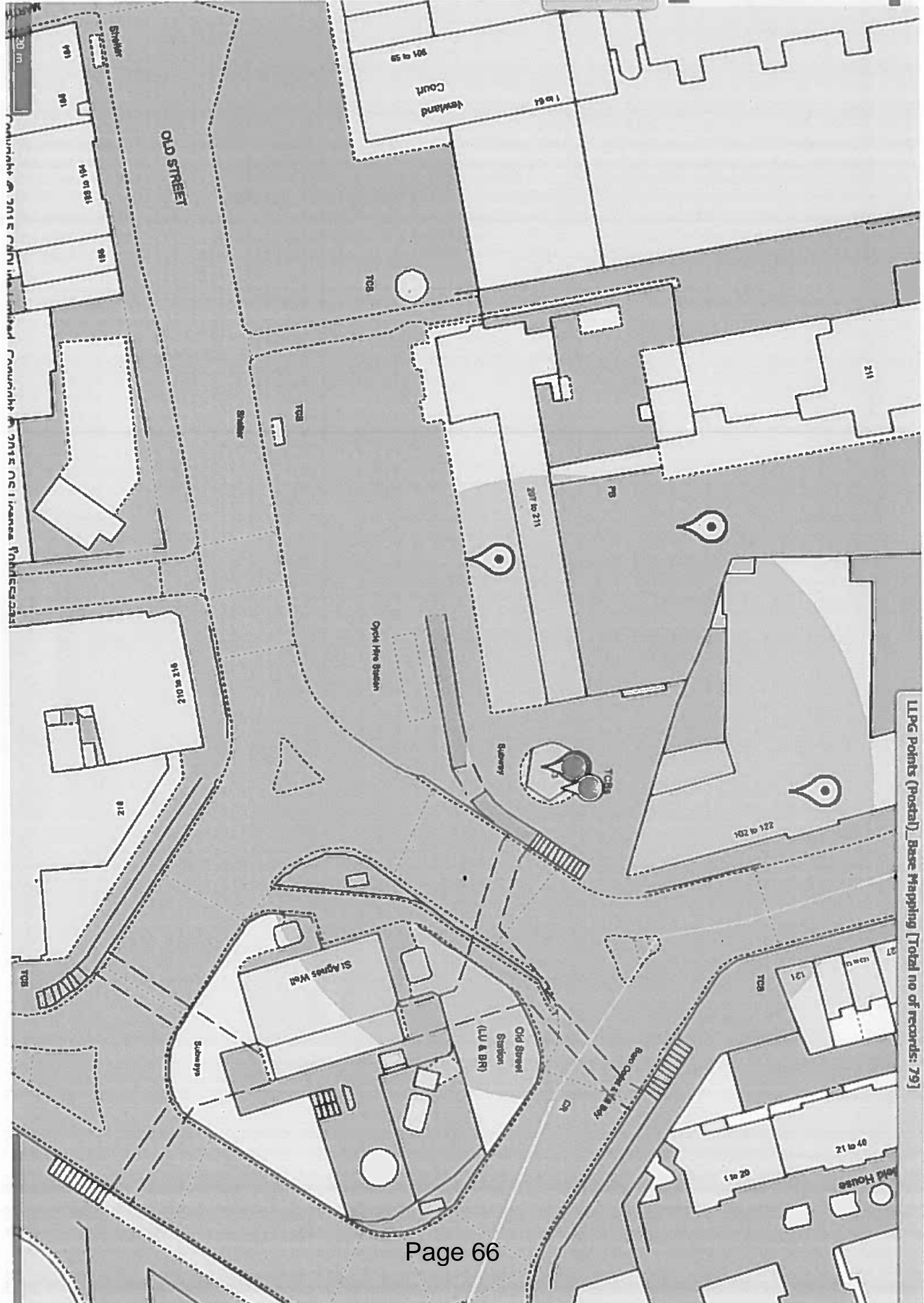
1. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
2. In the event of a noise complaint relating to amplified sound substantiated by authorised officers the licensee shall reduce all levels of amplified sound at the premises to ambient background levels of sound until such works to include the installation of a noise limiter and an agreement on maximum music levels inside the premises is arrived at to the satisfaction of the Pollution Team.

**Suggested conditions of approval recommended by the Pollutions Team (agreed)**

3. Windows to the premises will be kept closed at all times when noise generating regulated entertainment is taking place. Doors will be kept closed so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.

**Suggested conditions of approval recommended by the Police (agreed)**

4. Whenever the venue is open after 2300hrs on Friday and Saturday, one SIA registered door supervisor will be on duty from 10pm and will remain on duty 30 minutes after closing or until all customers have left the venue's vicinity.



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LLPG Points (Postal)\_Base Mapping [Total no of records: 79]



Report of: Service Director, Public Protection

| Meeting of              | Date                        | Agenda Item | Ward(s) |
|-------------------------|-----------------------------|-------------|---------|
| Licensing Sub-Committee | 21 <sup>st</sup> March 2017 |             | Mildmay |

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

**Subject: PREMISES LICENCE NEW APPLICATION**  
**RE: STAR FOOD & WINE, 138-140 BALL'S POND ROAD, LONDON, N1 4AD**

### 1. Synopsis

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

1.2 The new application is to allow:

- The sale by retail of alcohol, off supplies only, Sundays to Thursdays from 06:00 until 01:00 the following day and Fridays & Saturdays from 06:00 until 02:00 the following day; and
- The premises to be open to the public, 24 hours, 7 days a week.

### 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 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premises location.

3.2 Licensing History:

- The business already holds a premises licence authorising the sale of alcohol Sundays to Thursdays from 06:00 until 01:00 the following day and Fridays & Saturdays from 06:00 until 03:00 the following day;
- The premises licence is subject to a 2 month suspension imposed as a result of a premises licence review application determined before a Licensing Sub-Committee on 4<sup>th</sup> October 2016. The suspension is yet to be served as the Sub-Committee's decision is subject to an appeal. The appeal is scheduled to be heard at Highbury Magistrates Court on 25<sup>th</sup> April 2017.
- The appeal was submitted by the same solicitors firm, Oakfield Solicitors, that are representing the new applicant, Mr Abdurrahman Yolcu.
- Mr Abdurrahman Yolcu is in the process of buying the business from the current licensee, Mr Onur Kavruk.

### 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 for a new premises licence under Section 17 of the Licensing Act 2003.

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

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

## 6 Conclusion and reasons for recommendations

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

### Background papers:

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

### Final Report Clearance

**Signed by**

Jan Hart



Service Director – Public Protection

Date 10 March 2017

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

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



# ISLINGTON

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

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We ABDURRAHMAN YOLCU

(Insert name(s) of applicant)

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

### Part 1 – Premises Details

|   |        |                   |        |
|---|--------|-------------------|--------|
| Postal address of premises or, if none, ordnance survey map reference or description<br><b>138-140 BALLS POND ROAD,</b> |        |                   |        |
| Post town   | LONDON | Postcode          | N1 4AD |
| Telephone number at premises (if any)   |        | 020 7354 4519     |        |
| Non-domestic rateable value of premises   |        | £ 4,301 TO 33,000 |        |

### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

23 JAN 2017

PUBLIC REGISTRATION  
2006 LIMITED LIABILITY



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

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

Please tick yes

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

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

|   |                              |                               |   |                                |  |
|---|------------------------------|-------------------------------|---|--------------------------------|--|
| Mr <input checked="" type="checkbox"/>                    | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/>                         | Other Title (for example, Rev) |  |
| Surname<br>YOLCU  |                              |                               | First names<br>ABDURRAHMAN                          |                                |  |
| I am 18 years old or over                                 |                              |                               | <input checked="" type="checkbox"/> Please tick yes |                                |  |
| Current postal address if different from premises address |                              | 90A MOUNT PLEASANT LANE       |   |                                |  |
| Post town   | LONDON                       |                               | Postcode  | E5 9EN                         |  |
| Daytime contact telephone number                          |                              |                               | 07830753067   |                                |  |
| E-mail address (optional)                                 |                              |                               |   |                                |  |

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

**(B) OTHER APPLICANTS**

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

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

### Part 3 Operating Schedule

When do you want the premises licence to start?

| DD |   | MM |   | YYYY |   |   |   |
|----|---|----|---|------|---|---|---|
| 2  | 3 | 1  | 1 | 2    | 0 | 1 | 6 |

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

| DD                       |                          | MM                       |                          | YYYY                     |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Please give a general description of the premises (please read guidance note 1)

The premise is a supermarket.

The premise is proposing to supply alcohol for consumption off the premises.

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

n/a

What licensable activities do you intend to carry on from the premises?

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

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

**Provision of late night refreshment** (if ticking yes, fill in box I) ☐

**Supply of alcohol** (if ticking yes, fill in box J) ☒

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

**A**

|  |       |        |   |  |          |                          |
|--|-------|--------|---|--|----------|--------------------------|
| <b>Plays</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)   |  | Indoors  | <input type="checkbox"/> |
|  |       |        |   |  | Outdoors | <input type="checkbox"/> |
| Day  | Start | Finish | Both <input type="checkbox"/>   |  |          |                          |
| Mon  |       |        | <b><u>Please give further details here</u></b> (please read guidance note 3)  |  |          |                          |
|  |       |        |   |  |          |                          |
| Tue  |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Wed  |       |        | <b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)  |  |          |                          |
|  |       |        |   |  |          |                          |
| Thur   |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Fri  |       |        | <b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) |  |          |                          |
|  |       |        |   |  |          |                          |
| Sat  |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Sun  |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |

# B

|  |       |        |   |  |          |                          |
|--|-------|--------|---|--|----------|--------------------------|
| <b>Films</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)  |  | Indoors  | <input type="checkbox"/> |
|  |       |        |   |  | Outdoors | <input type="checkbox"/> |
| Day  | Start | Finish | Both <input type="checkbox"/>   |  |          |                          |
| Mon  |       |        | <b>Please give further details here</b> (please read guidance note 3)   |  |          |                          |
|  |       |        |   |  |          |                          |
| Tue  |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Wed  |       |        | <b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)  |  |          |                          |
|  |       |        |   |  |          |                          |
| Thur   |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Fri  |       |        | <b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |  |          |                          |
|  |       |        |   |  |          |                          |
| Sat  |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Sun  |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |

C

|   |       |        |   |
|---|-------|--------|---|
| <b>Indoor sporting events</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b><u>Please give further details</u></b> (please read guidance note 3)   |
| Day   | Start | Finish |   |
| Mon   |       |        |   |
| Tue   |       |        | <b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)  |
| Wed   |       |        |   |
| Thur  |       |        |   |
| Fri   |       |        | <b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) |
| Sat   |       |        |   |
| Sun   |       |        |   |

# D

|   |       |        |   |  |          |                          |
|---|-------|--------|---|--|----------|--------------------------|
| <b>Boxing or wrestling entertainments</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)   |  | Indoors  | <input type="checkbox"/> |
|   |       |        |   |  | Outdoors | <input type="checkbox"/> |
|   |       |        |   |  | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)   |  |          |                          |
| Mon   |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |
| Tue   |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |
| Wed   |       |        | <b>State any seasonal variations for boxing or wrestling entertainment</b><br>(please read guidance note 4)   |  |          |                          |
|   |       |        |   |  |          |                          |
| Thur  |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |
| Fri   |       |        | <b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |  |          |                          |
|   |       |        |   |  |          |                          |
| Sat   |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |
| Sun   |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |

# E

|   |       |        |   |  |                                   |
|---|-------|--------|---|--|-----------------------------------|
| <b>Live music</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the performance of live music take place<br><u>indoors or outdoors or both – please tick</u> (please<br>read guidance note 2)  |  | Indoors <input type="checkbox"/>  |
|   |       |        |   |  | Outdoors <input type="checkbox"/> |
| Day   | Start | Finish |   |  | Both <input type="checkbox"/>     |
| Mon   |       |        | <u>Please give further details here</u> (please read guidance note 3)   |  |                                   |
|   |       |        |   |  |                                   |
| Tue   |       |        |   |  |                                   |
|   |       |        |   |  |                                   |
| Wed   |       |        | <u>State any seasonal variations for the performance of live music</u> (please<br>read guidance note 4)   |  |                                   |
|   |       |        |   |  |                                   |
| Thur  |       |        |   |  |                                   |
|   |       |        |   |  |                                   |
| Fri   |       |        | <u>Non standard timings. Where you intend to use the premises for the<br/>         performance of live music at different times to those listed in the column<br/>         on the left, please list</u> (please read guidance note 5) |  |                                   |
|   |       |        |   |  |                                   |
| Sat   |       |        |   |  |                                   |
|   |       |        |   |  |                                   |
| Sun   |       |        |   |  |                                   |
|   |       |        |   |  |                                   |



**F**

|   |       |        |   |  |          |                          |
|---|-------|--------|---|--|----------|--------------------------|
| <b>Recorded music</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)  |  | Indoors  | <input type="checkbox"/> |
|   |       |        |   |  | Outdoors | <input type="checkbox"/> |
| Day   | Start | Finish | Both <input type="checkbox"/>   |  |          |                          |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 3)   |  |          |                          |
|   |       |        |   |  |          |                          |
| Tue   |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |
| Wed   |       |        | <b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)  |  |          |                          |
|   |       |        |   |  |          |                          |
| Thur  |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |
| Fri   |       |        | <b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |  |          |                          |
|   |       |        |   |  |          |                          |
| Sat   |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |
| Sun   |       |        |   |  |          |                          |
|   |       |        |   |  |          |                          |

# G

|  |       |        |   |  |          |                          |
|--|-------|--------|---|--|----------|--------------------------|
| <b>Performances of dance</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)  |  | Indoors  | <input type="checkbox"/> |
|  |       |        |   |  | Outdoors | <input type="checkbox"/> |
| Day  | Start | Finish |   |  | Both     | <input type="checkbox"/> |
| Mon  |       |        | <b><u>Please give further details here</u></b> (please read guidance note 3)  |  |          |                          |
|  |       |        |   |  |          |                          |
| Tue  |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Wed  |       |        | <b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)  |  |          |                          |
|  |       |        |   |  |          |                          |
| Thur   |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Fri  |       |        | <b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) |  |          |                          |
|  |       |        |   |  |          |                          |
| Sat  |       |        |   |  |          |                          |
|  |       |        |   |  |          |                          |
| Sun  |       |        |   |  |          |                          |

# H

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | Please give a description of the type of entertainment you will be providing  |          |                          |
| Day   | Start | Finish | <b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)  | Indoors  | <input type="checkbox"/> |
| Mon   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Tue   |       |        | <b><u>Please give further details here</u></b> (please read guidance note 3)  |          |                          |
|   |       |        |   |          |                          |
| Wed   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Thur  |       |        | <b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)   |          |                          |
|   |       |        |   |          |                          |
| Fri   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Sat   |       |        | <b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b><br>(please read guidance note 5) |          |                          |
|   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |
|   |       |        |   |          |                          |

# I

|   |       |        |  |  |          |                          |
|---|-------|--------|--|--|----------|--------------------------|
| <b>Late night refreshment</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)  |  | Indoors  | <input type="checkbox"/> |
|   |       |        |  |  | Outdoors | <input type="checkbox"/> |
|   |       |        |  |  | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)  |  |          |                          |
| Mon   |       |        |  |  |          |                          |
| Tue   |       |        |  |  |          |                          |
| Wed   |       |        | <b>State any seasonal variations for the provision of late night refreshment</b><br>(please read guidance note 4)  |  |          |                          |
| Thur  |       |        |  |  |          |                          |
| Fri   |       |        |  |  |          |                          |
| Sat   |       |        | <b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5) |  |          |                          |
| Sun   |       |        |  |  |          |                          |
|   |       |        |  |  |          |                          |

J

|  |            |            |  |                  |                                     |   |  |  |
|--|------------|------------|--|------------------|-------------------------------------|---|--|--|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(please read guidance note 6) |            |            | <b>Will the supply of alcohol be for consumption –<br/>please tick</b> (please read guidance note 7) | On the premises  | <input type="checkbox"/>            |   |  |  |
|  |            |            |  | Off the premises | <input checked="" type="checkbox"/> |   |  |  |
|  |            |            |  | Both             | <input type="checkbox"/>            |   |  |  |
| Day  | Start      | Finish     | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)         |                  |                                     |   |  |  |
| Mon  | 6:00<br>AM | 1:00<br>AM |  |                  |                                     |   |  |  |
| Tue  | 6:00<br>AM | 1:00<br>AM |  |                  |                                     |   |  |  |
| Wed  | 6:00<br>AM | 1:00<br>AM |  |                  |                                     |   |  |  |
| Thur   | 6:00<br>AM | 1:00<br>AM |  |                  |                                     |   |  |  |
| Fri  | 6:00<br>AM | 2:00<br>AM |  |                  |                                     |   |  |  |
| Sat  | 6:00<br>AM | 2:00<br>AM |  |                  |                                     |   |  |  |
| Sun  | 6:00<br>AM | 1:00<br>AM |  |                  |                                     |   |  |  |
|  |            |            |  |                  |                                     | <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |  |  |
|  |            |            |  |                  |                                     |   |  |  |

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

|  |  |                   |  |
|--|--|-------------------|--|
| Name                                   |  | ABDURRAHMAN YOLCU |  |
| Address                                |  | [REDACTED]        |  |
| Postcode                               |  | [REDACTED]        |  |
| Personal licence number (if known)     |  |                   |  |
| [REDACTED]                             |  |                   |  |
| Issuing licensing authority (if known) |  |                   |  |

K

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

L

|  |       |        |   |
|--|-------|--------|---|
| <b>Hours premises are open to the public</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>State any seasonal variations</b> (please read guidance note 4)  |
| Day  | Start | Finish | <b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) |
| Mon  | 00:00 | 00:00  |   |
|  | 00:00 | 00:00  |   |
| Tue  | 00:00 | 00:00  |   |
|  | 00:00 | 00:00  |   |
| Wed  | 00:00 | 00:00  |   |
|  | 00:00 | 00:00  |   |
| Thur   | 00:00 | 00:00  |   |
|  | 00:00 | 00:00  |   |
| Fri  | 00:00 | 00:00  |   |
|  | 00:00 | 00:00  |   |
| Sat  | 00:00 | 00:00  |   |
|  | 00:00 | 00:00  |   |
| Sun  | 00:00 | 00:00  |   |
|  | 00:00 | 00:00  |   |

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

-THE APPLICANT WILL COOPERATE WITH ALL RELEVANT AUTHORITIES AND WILL PROMOTE TO ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES.

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

-THE APPLICANT WILL COOPERATE WITH THE POLICE AND ANY OTHER RELEVANT AUTHORITIES.  
-THE APPLICANT WILL ALWAYS PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES.  
-STAFF TRAINING WILL ALWAYS BE IN PLACE IN CONNECTION WITH PREVENTION OF CRIME AND DISORDER.  
-ANY ALCOHOL SOLD WILL BE IN A SEALED CONTAINER

**c) Public safety**

-APPROPRIATE FIRE SAFETY PROCEDURES ARE IN PLACE INCLUDING FIRE EXTINGUISHERS.  
-ALL APPLIANCES WILL BE INSPECTED ANNUALLY  
-ALL EMERGENCY EXITS WILL BE KEPT FREE FROM OBSTRUCTION AT ALL TIMES.  
-THE APPLICANT WILL PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES.

**d) The prevention of public nuisance**

-ALL CUSTOMERS WILL BE ASKED TO LEAVE QUIETLY.  
-THE APPLICANT WILL PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES.

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

- THE APPLICANT WILL PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES. STAFF TRAINING ARE/WILL ALWAYS BE IN PLACE.  
 -ID CHECKING SYSTEM IS/WILL BE IN PLACE.  
 -THE APPLICANT WILL TRAIN STAFF TO NOTE ANY REFUSALS TO SELL YOUNG PEOPLE IN A REFUSAL LOG.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

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

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

|           |   |
|-----------|---|
| Signature |  |
| Date      | 24.01.17  |
| Capacity  | SOLICITOR   |

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

|           |   |
|-----------|---|
| Signature | / |
| Date      |   |
| Capacity  |   |



Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

OAKFIELD SOLICITORS  
UNIT 4 FOUNTAYNE BUSINESS CENTRE  
BROAD LANE

Post town **LONDON**

Postcode **N15 4AG**

Telephone number (if any) **0208 808 1478**

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
**INFO@OAKFIELDSOLICITORS.COM**

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

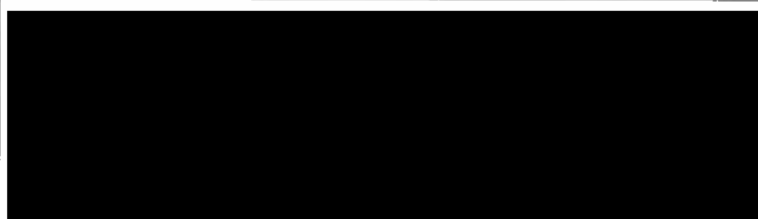
## PART A

### Consent of individual to being specified as premises supervisor

I ABDURRAHMAN YOLCU

[full name of prospective premises supervisor]

Of



[home address of prospective premises supervisor]

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

Premises licence to supply alcohol for consumption off the  
[type of application] premises.

by

Abdurrahman Yölcü

[name of applicant]

Relating to a premises licence

[number of existing licence, if any]

for

138-140 Belsford Road  
London  
N1 4AD

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



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

ABDURRAHMAN YOLCU  
[name of applicant]

concerning the supply of alcohol at

STAR FOOD AND WINE 135-140 BALLS POND ROAD LONDON N1 4AD  
[name and address of premises to which application relates]

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

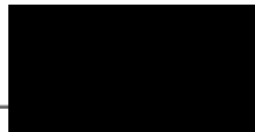
Personal licence number



Personal licence issuing authority

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

Signed



Name (Please Print)

ABDURRAHMAN YOLCU

Date

24-01-2017



24 January 2017

Islington  
Licensing Service  
Public Protection Division  
222 Upper Street  
London  
N1 1XR

BY RECORDED DELIVERY

Our ref: MC/YOLCU/M

Dear Sirs

**Application for a premises license to be granted**  
**Applicant: Abdurrahman Yolcu**  
**The premises: 138-140 Ball Pond Road, London N1 4AD**

We confirm that the Applicant is in the process of buying the lease for the above premises; he is seeking to obtain a new premises licence for the above premises on new terms. Please note that the lease transfer process has started. Please find enclosed the original of the following documents for your consideration:

1. Dully completed and signed application for a premises licence form
2. Dully completed and signed consent of premises supervisor
4. Plan of the premises

For your information, please note that the Applicant's personal licence card cannot be located. We are only able to provide the Licence Number [REDACTED]. An application for a new card has been made.

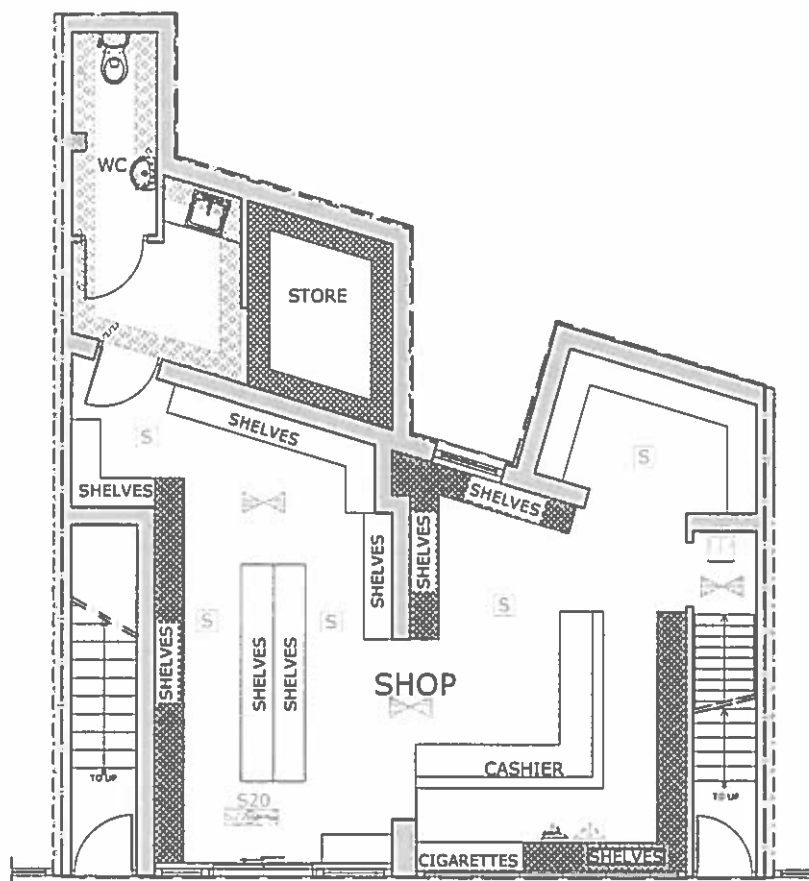
We kindly ask you to acknowledge safe receipt and please do not hesitate to contact us should you have any further enquiries.

Thank you for your assistance in this matter.

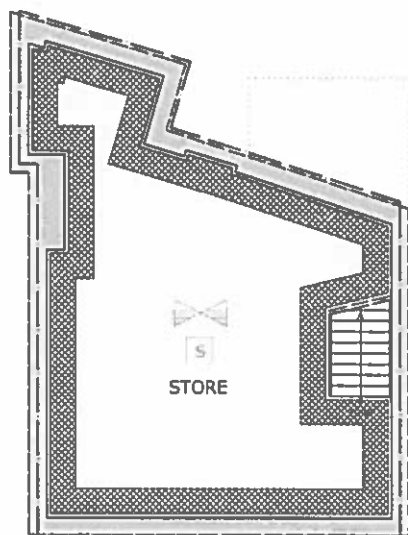
We look forward to hearing from you.

Yours faithfully

**OAKFIELD SOLICITORS**












GROUND FLOOR PLAN  
SCALE: 1/100



BASEMENT FLOOR PLAN  
SCALE: 1/100

#### LEGEND

-  LIQUOR SALE
-  STORAGE
-  WC, PASSAGEWAY, ETC
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTING
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
-  FIRE ALARM CALL POINT

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STAR OFF LICENCE  
138-140 BALLS POND ROAD  
LONDON N1

- GROUND FLOOR PLAN

SCALE: 1/100

REF. NO : 127.16/01

DATE: NOVEMBER 2016

DRG BY: A.AY

**anva ltd.**

architectural, engineering  
and licensing

P.O. BOX 1827

1LFORD. IG2 7WJ

TEL: 020 8599 5036

MOBILE: 077 10942923 / 079 30407212

E-MAIL: info@a-anva.co.uk

**Your** New Premises License Application  
**Our** Licensing/NI  
**Date:** 22/02/2017



**METROPOLITAN POLICE  
SERVICE**

Islington Police Licensing Unit  
**Islington Police Station**  
**2 Tolpuddle Street**  
**London**  
**N1 0YY**

Telephone: 07799133204

Email:

[licensingpolice@islington.gov.uk](mailto:licensingpolice@islington.gov.uk)

**22nd February 2017**

**Star Food and Wine**

**138-140 Balls Pond Road**  
**N1 4AD**

Dear Sir

**Re: Premises License Application (New) - Star Food and Wine, 138-140 Balls Pond Road**

With reference to the above application, we are 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 all of the Licensing Objectives.

The police would expect the highest of standards regarding proposals within an application by any prospective Off Licensee. On reading what the applicant is proposing I have concerns that they have not sufficiently addressed any natural concerns relating to their promotion of the Licensing Objectives. They have mentioned on no less than six occasions that they will cooperate or adopt recommendations from the responsible authorities. This shows no proactive ideas by the applicant as to how they will be running their business so as to promote the Licensing Objectives. This puts into question the experience in the role the new applicant has in dealing with well run similar businesses.

There is also the chequered history of this venue currently having a license that was reviewed less than 6 months ago and is still yet to have a period of suspension imposed on them. This new application could be viewed as a way to circumvent the suspension and as such undermine the due process of the Licensing Authority.

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

If the Licensing Committee is minded to grant this application then I believe it should be within the core hours for Off Licences as defined within the licensing policy and also adopt the following conditions.

**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; 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 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.*

#### *Incident Log*

*An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:*

- a. All crimes reported to the venue*
- b. Any complaints received*
- c. Any incidents of disorder*
- d. Any faults in the CCTV system*
- e. Any visit by a relevant authority or emergency service*
- f. Any refusal of the sale of alcohol*

*- The premises licence holder will work closely with the Police and the Licensing Authority.*

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

*- Staff at the premises shall ensure that the immediate area outside the premises is kept clear of rubbish at all times the premises are open and operating.*

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

*- Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.*

*- A proof of age scheme, such as Challenge (25), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as: a driving license or passport / holographically marked PASS scheme identification cards.*

*- No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol*

*- No alcohol of 6.0% ABV or above shall be sold in cans or plastic containers at the premises.*

Should you wish to discuss the matter further please contact us on Mobile 07799133204 or via email, [licensingpolice@islington.gov.uk](mailto:licensingpolice@islington.gov.uk)

Yours sincerely

Ben Chadwick Pc 292NI

Steven Harrington Pc 425NI

Peter Conisbee Pc 575NI

Islington Police Licensing Officers

**Licensing Act 2003****Licensing Authority Representation****Premises Licence Application:****138-140 Ball's Pond Road, London N1 4AD.**

I am submitting a representation on behalf of the Licensing Authority with respect to the premises licence application, submitted by **Mr Abdurrahman Yolcu**.

The application is seeking to allow the premises to provide the sale by retail of alcohol, off supplies only, Sundays to Thursdays from 06:00 until 01:00 the following day and Fridays & Saturdays from 06:00 until 02:00 the following day.

**The grounds for the representation are:**

- Prevention of Crime & Disorder;
- Protection of Children from Harm; and
- Prevention of Public Nuisance.

**Licensing Policy Considerations**

|                                      |  |
|--------------------------------------|--|
| <i>Licensing Policy 4</i>            | <i>Shops selling alcohol;</i>                              |
| <i>Licensing Policy 8</i>            | <i>Licensing hours;</i>                                    |
| <i>Licensing Policies 9 &amp; 10</i> | <i>Standards of management and the operating schedule;</i> |
| <i>Licensing Policy 25</i>           | <i>Children &amp; alcohol; and</i>                         |
| <i>Licensing Policy 26</i>           | <i>Illicit goods being offered for sale.</i>               |

**Background**

- This business currently holds a premises licence authorising the sale of alcohol Sundays to Thursdays from 06:00 until 01:00 the following day and Fridays & Saturdays from 06:00 until 03:00 the following day.
- This premises licence was subject to a 2 month suspension imposed as a result of a premises licence review application determined before a Licensing Sub-Committee on 4<sup>th</sup> October 2016. The suspension is yet to be served as the Sub-Committee's decision is subject to an appeal. The appeal is to be heard at Highbury Magistrates Court on 25<sup>th</sup> April 2017.
- The appeal was submitted by the same solicitors firm, Oakfield Solicitors, that are representing the new applicant, Mr Abdurrahman Yolcu.
- Mr Abdurrahman Yolcu is in the process of buying the business from the current licensee, Mr Onur Kavruk.



## Issues of Concern

- The premises licence application is not up to the standards the Licensing Authority expects for a shop premises seeking to sell alcohol up until 02:00. The application makes no reference to the fact that the hours sought are in excess of the suggested hours as laid out within LP8 of the Council's Licensing Policy or provide any justification for seeking such. The operating schedule (LP9) offers very little in the way of controls and does not include the level of detail expected for an application seeking such late hours for the sale of alcohol. It is therefore difficult to assess the applicant's knowledge and understanding of the four licensing objectives and his ability to attain the high standards of management expected for shops selling alcohol within the Borough (LP10).
- The Licensing Authority is concerned that the applicant has not fully recognised or understood their responsibility in regards to tackling the illegal sales of alcohol to children (LP25). The Council's Licensing Policy states that Challenge 25 should be the standard to help reduce the likelihood of underage sales. While the operating schedule does reference some controls in this regard there is little detail and Challenge 25 has not been proposed.
- The applicant has not proposed any controls or conditions in relation to illicit goods (LP26), such as non-duty paid alcohol. This is of great importance in this case as the licence currently in place at the business was reviewed after illicit alcohol and tobacco were found.
- The application is seeking to allow the premises to be open to the public 24 hours a day seven days a week. The Licensing Authority would have therefore expected the operating schedule to detail controls to manage the availability of alcohol after the terminal hour permitted for its sale.

## Summary

The Licensing Authority is unable to fully assess the suitability of the proposed licensee given the level of detail provided within the application. This and the fact that a premises licence with an appealed suspension decision is already in place at the business leads the Licensing Authority to recommend that the Sub-Committee should refuse the premises licence application.

Terrie Lane  
Licensing Manager  
Islington Council  
020 7527 3233

23<sup>rd</sup> February 2017


**ISLINGTON**
**PUBLIC PROTECTION DIVISION**

Trading Standards  
222 Upper Street  
London N1 1XR

Tel: x 3874  
E-mail: [doug.love@islington.gov.uk](mailto:doug.love@islington.gov.uk)

Please reply to: Doug Love

**MEMO TO:**

**LICENSING TEAM  
222 UPPER STREET**

Our Ref:  
Your Ref:  
Date: 23/02/17

### **LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY**

**138-140 Ball's Pond Road, N1 4AD**

I have examined the application for a licence for the above premises on behalf of the Trading Standards Section and I have also met with Abdurrahman Yolcu, the applicant. Mr Yolcu reported that he had committed to buying the business located at the above address, before he was aware of the review application. For the record, the review application was distributed towards the end of July 2016 and Mr Yolcu stated that he had committed to the purchase in September 2016. I would have been able to confirm to any prospective purchaser (without giving details, of course) at any time from the end of April 2016 that enforcement action was being considered against the premises licence holder.

The new application is not adequate and I recommend that it is rejected. The hours requested are outside the framework hours in the policy and there is far too little detail in the operating schedule to allow me to arrive at any conclusions about the applicant's understanding of what is required to attain a high standard of management in an off-licence business.

The repeated assertion that "The applicant will promote and adopt any recommendation from all responsible authorities" is inadequate and I am disappointed to see it in any application submitted on an applicant's behalf by a licensing consultant / legal advisor. It is for the business to propose the operating schedule. Responsible authorities may give informal advice prior to an application, or comment on proposals, but this appears to be effectively asking responsible authorities to write the operating schedule and I will decline to do that, as I will have no assurance that the applicant is involved in and understands what is being proposed on his behalf.

I am happy to consider any further conditions proposed by the applicant, in the event of this application continuing.

Kind regards,

Doug Love  
Trading Standards Officer

020 7527 3874

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

1. Any alcohol sold will be in a sealed container.
2. All emergency exit routes will be kept free from obstruction at all times.
3. All customers will be asked to leave quietly.
4. An ID checking system will be in place.
5. The applicant will train staff to note any refusals to sell alcohol to young persons in a refusals log.

**Metropolitan Police recommend refusal of the application, if however the Sub-Committee are minded to grant a premises licence the following conditions are proposed:**

6. 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:
  - a. The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. 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;
  - b. The Police must be informed if the system will not be operating for longer than one day of business for any reason;
  - c. One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
  - d. The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
  - e. The system shall record in real time and recordings will be date and time stamped;
  - f. 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;
  - g. 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.
7. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:
  - a. All crimes reported to the venue;
  - b. Any complaints received;
  - c. Any incidents of disorder;
  - d. Any faults in the CCTV system;
  - e. Any visit by a relevant authority or emergency service; and
  - f. Any refusal of the sale of alcohol.
8. The premises licence holder will work closely with the Police and the Licensing Authority.
9. All instances of crime and disorder shall be reported to the police.
10. Staff at the premises shall ensure that the immediate area outside the premises is kept clear of rubbish at all times the premises are open and operating.

11. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
12. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
13. A proof of age scheme, such as Challenge (25), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as: a driving license or passport / holographically marked PASS scheme identification cards.
14. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
15. No alcohol of 6.0% ABV or above shall be sold in cans or plastic containers at the premises.

1 to 11  
Arc Building

Shelter

Threadgold House

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532877.53, 184826.27

Data Menu

Page 99

HALIDAY WALK

BALLS POND ROAD

21.2m

20.9m

# Area Search Tool

- ☐ Create Multipoint Line [0.00]
- ☐ Create Shape [0.00 sq.]
- ☒ Place Point
- ☐ Address
- Distance 50
- Measure in Unit Metres
- ☐ Use existing shape

Clear Area Confirm Area Apply Search

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