



AGENDA FOR THE LICENSING SUB COMMITTEE D

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 **24 April 2018 at 6.30 pm.**

Yinka Owa
Director of Law and Governance

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 13 April 2018

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business
6. Minutes of Previous Meeting 1 - 4

B. Items for Decision **Page**

1. Byron, 26 Cowcross Street, EC1M 6DQ - Premises licence variation 5 - 34

2. Great, 98 Farringdon Road, EC1R 3EA - New premises licence

35 - 64

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.

London Borough of Islington

Licensing Sub Committee D - 26 February 2018

Minutes of the meeting of the Licensing Sub Committee D held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 26 February 2018 at 6.30 pm.

Present: **Councillors:** Nick Wayne (Chair), Satnam Gill and Michelline Ngongo.

Councillor Nick Wayne in the Chair

217 **INTRODUCTIONS AND PROCEDURE (Item A1)**

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

218 **APOLOGIES FOR ABSENCE (Item A2)**

Apologies for absence were received from Councillor Marian Spall.

219 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

Councillor Michelline Ngongo substituted for Councillor Marian Spall.

220 **DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

221 **ORDER OF BUSINESS (Item A5)**

The order of business would be as the agenda.

222 **MINUTES OF PREVIOUS MEETING (Item A6)**

RESOLVED:

That the minutes of the meeting held on 4 January 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

223 **ALDI, GROUND FLOOR, 681-689 HOLLOWAY ROAD, N19 5SE - APPLICATION FOR NEW PREMISES LICENCE (Item B1)**

The licensing officer reported that additional papers had been received and circulated. These would be interleaved with the agenda papers. The Sub-Committee noted that Councillor Kaya Comer-Schwartz had withdrawn her representation following conditions being agreed with the applicant.

The noise officer was concerned about the proposed deliveries at 5am in the morning. She was pleased that there would be no deliveries to the Windermere Road access before 8am but stated that deliveries on Holloway Road before 7am would not be desirable.

The Sub-Committee noted that Holloway Road was a red route and there was a loading bay in that area. Deliveries would have to be unloaded and wheeled to the premises.

The local resident raised concerns regarding the Archway saturation zone. There was already enough shops selling alcohol. There was a hospital nearby including a psychiatric ward. People would be buying alcohol up until 10pm. Although there was a condition

Licensing Sub Committee D - 26 February 2018

regarding high strength beers she was concerned that Aldi would sell other alcohol at a cheap price.

The applicant's representative stated that Aldi was an expanding brand which used own brands with a limited range of stock. This gave buying power and so products could be cheaper. It was Which supermarket of the year, nominated as employer of the year, paid the London living wage and placed importance on its corporate and social responsibility. They were aware of the cumulative impact zone and met with the police which resulted in conditions, including limiting high strength beers and selling single cans. They were not seeking to sell until 11am. This was the only branch that would starting selling alcohol so late. Regarding the delivery time between 5am and 7am, she stated that the current premises can deliver 24 hours a day. Aldi sold fresh produce and this delivery window was crucial for their business. If they did not sell alcohol there would be no restrictions and this restriction would only be appropriate for licensable activities. Aldi had submitted a revised plan where alcohol would be stored away from the windows. Emails had been sent in support and there were residents present at the meeting also in support. Aldi offered a chance for local residents to shop at a fixed lower price and the Aldi store sold products for the same price across the country. There was no evidence to suggest there would be a noise nuisance.

In response to questions it was noted that the intention was to have only one delivery before 7am each day which would be a delivery of fresh produce. Aldi would seek to work with the Town Centre Group should the licence be granted. A local resident spoke in support of the application with the agreement of the objector. He stated that he liked that Aldi sold high quality alcohol at a reasonable price. It was noted that Aldi sold a different range to some of the other local shops.

In summary the interested party stated that there were enough shops in the area that sold alcohol and they did not need any others. Aldi would sell low alcohol beer but would sell cheap vodka and whisky. She would rather not see more drunk people on the street. The applicant's stated that this was a responsible application which reflected their style of operation, regarding deliveries they would ask for operational flexibility and in her view it would be disproportionate to limit the delivery time. There was no evidence that the premises would undermine the licensing objectives and she asked the Sub-Committee to grant the application as applied for.

RESOLVED

- 1) That the application for a new premises licence, in respect of Aldi, Ground Floor, 681 Holloway Road, London, N19 5SE be granted to allow:-
 - a) The sale of alcohol, off supplies only, Mondays to Saturdays from 11am until 10pm and Sundays from 11am until 5pm
 - b) The premises to be open to the public, Mondays to Sundays from 7am until 11pm.
- 2) That conditions outlined in appendix 3 and detailed on pages 46 and 47 of the agenda be applied to the licence with the following additional conditions or amendments.
 - All trolleys and cages used for deliveries to transfer goods shall be fitted with rubber wheels to minimise sound.
 - Amended condition 21. The delivery of goods/refuse in and to the Holloway Road access shall be restricted to 05:00 and 23:00 hours Monday to Saturday with no more than one delivery before 7am on Mondays to Saturdays. Deliveries on Sundays or Bank Holidays shall be restricted to 08:00 to 19:00 hours.

Licensing Sub Committee D - 26 February 2018

- The delivery of goods/refuse in and to the Windermere Road access shall be restricted to 08:00 and 19:00 hours on Monday to Saturday. No deliveries shall be made on a Sunday or Bank Holiday.
- A weekly litter collection shall be undertaken along Windermere Road by an external company. A daily litter pick in the vicinity of the store to be undertaken by store staff.
- The premises Licence Holder will support the local Town Centre Management Group.

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, 3, 4 and 6 and Home Office guidance, chapter 14.

The premises fall within the Archway cumulative impact area. Licensing policy 3 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives. The Sub-Committee also considered Licensing Policy 4 in relation to the cumulative impact of shops selling alcohol off the premises.

The Sub-Committee noted that the hours sought were within the framework hours set out in Licensing Policy 6 for Archway.

The cumulative impact policy is not absolute and every application is considered on its merits (licensing policy 4, paragraph 70). The Sub-Committee noted that unusually, a number of residents, as mentioned by the applicant's representative, supported the presence of Aldi and, with the agreement of the interested party opposed to the application, a resident at the meeting had spoken in support. The applicant had met with the Executive member for Community Development and as a result she had withdrawn her representation after conditions had been largely agreed. The applicant had proposed robust conditions in the operating schedule and had succeeded in rebutting the presumption that there would be a cumulative impact on one or more of the licensing objectives. The Sub-Committee took into account that it was impossible to distinguish between deliveries of alcohol and other deliveries, also the need for fresh food to be delivered each day on a busy main road with limited access and had clarified with the applicant that there would only be one delivery each day Monday to Saturday before 7am. It was appropriate and proportionate to the promotion of the licensing objective of public nuisance to add a condition that deliveries be restricted to one, Mondays to Saturdays, before 7am.

The Sub-Committee considered that it was justified in departing from the special policy in the light of the individual circumstances of this case. The Sub-Committee noted there were conditions limiting high strength beers, ales, lagers or ciders, alcohol would not be visible from the outside nor would there be advertisements for alcohol in the windows. The Sub-Committee noted that alcohol would not be sold until 11am.

The applicant's description of Aldi's operation suggested a distinctive style of supermarket with a low price good quality range of goods which many residents appeared to welcome.

The Sub-Committee concluded that granting the licence with the conditions as amended was proportionate and appropriate and in the public interest.

The meeting ended at 7.35 pm

CHAIR



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	24 th April 2018		Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE VARIATION APPLICATION
RE: BYRON, 26 COWCROSS STREET, LONDON, EC1M 6DQ

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 by retail of alcohol, on supplies only, Mondays to Saturdays from 10:00 until 23:00 and Sundays from 12:00 until 22:30;
 - The playing of recorded music, Mondays to Sundays from 00:00 until 00:00 the following day; and
 - The provision of late night refreshment, Mondays to Saturdays from 23:100 until 00:30 the following day and Sundays from 23:00 until 00:00.
- 1.3 The variation application is to:
 - Extend the terminal hour for the sale of alcohol to 00:00 Mondays to Sundays;
 - Allow off supplies of alcohol, Mondays to Saturdays from 10:00 until 00:00 and Sundays from 12:00 until 00:00;
 - Extend the terminal hour for the provision of late night refreshment to 00:30, Mondays to Sundays;

- Specify the following hours that the premises are open to the Public, Mondays to Saturdays from 10:00 until 00:30 and Sundays from 12:00 until 00:30; and
- Add the additional conditions detailed below, as agreed, pre-application, with the Islington Licensing Police:
 1. Off-supplies of alcohol, provided by way of home delivery following a telephone or internet order, are subject to the below:
 - a. No more than four beers or a 750ml bottle of wine per meal;
 - b. Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18;
 - c. Any person taking an order for the supply of alcohol on behalf of the premises licence holder will inform all customers that proof of age by way of a photographic driving licence, Passport or a form of identification with the PASS hologram will be required before alcohol is supplied;
 2. The licensee shall ensure that any delivery service employed to facilitate the delivery of alcohol, as an ancillary to a food order, has an adequate proof of age scheme in place, such as the Challenge 25 Scheme, to be undertaken at the point of delivery to any customer.

2. Relevant Representations

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

3. Background

3.1 Papers are attached as follows:

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

3.2 This application was originally listed to be determined before a Licensing Sub-Committee on the 10th April 2018. This hearing was adjourned, at the request of the applicant, so as to enable a meeting to take place with the outstanding representors to discuss the proposals in greater detail.

At the time of writing this report the meeting has yet to take place.

4. Planning Implications

4.1 None.

5 Recommendations

5.1 To determine the application for a variation of the premises licence under Section 34 of the Licensing Act 2003.

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

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

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

6 Conclusion and reasons for recommendations

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

Background papers:

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

Final Report Clearance

Signed by



Service Director – Public Protection

11/4/18

Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

Islington London Borough Council

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.

We DMWSL 740 Limited

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/3160-290715
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Part 1 – Premises Details

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

Byron 26 Cowcross Street

Post town	London	Post code	EC1M 6DQ
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£142,000.00
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Part 2 – Applicant details

Daytime contact telephone number	
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E-mail address (optional)	
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Current residential address if different from premises address	1st Floor 14-15 Berners Street
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Post Town	London	Postcode	W1T 3LJ
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Part 3 - Variation

Please tick yes

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

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

Day Month Year

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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

Please describe briefly the nature of the proposed variation (Please read guidance note

1. To extend the terminal hour for the sale of alcohol - Monday to Sunday until 00:00 (midnight);
2. To add off sales of alcohol – Monday to Saturday 10:00 to 00:00 and Sunday 12:00 to 00:00;
3. To extend the terminal hour for the provision of late night refreshment and recorded music and opening hours - Monday to Sunday until 00:30; and
4. To add conditions agreed with Islington Police as detailed in the below application.

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

N/A

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 read guidance note 3)

**Please tick all th
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)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both			<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)			
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 6)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both			<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<p>Please give further details (please read guidance note 5)</p> <hr/> <p>State any seasonal variations for indoor sporting events (please read guidance note 6)</p> <hr/> <p>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 (please read guidance note 7)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<p>Please give further details here (please read guidance note 5)</p>	
Thur			<p>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</p>	
Fri			<p>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 (please read guidance note 7)</p>	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4) NO CHANGE	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	No Change	00:30	Please give further details here (please read guidance note 5) NO CHANGE		
Tue	No Change	00:30			
Wed	No Change	00:30	State any seasonal variations for the playing of recorded music (please read guidance note 6) NO CHANGE		
Thur	No Change	00:30			
Fri	No Change	00:30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7) NO CHANGE		
Sat	No Change	00:30			
Sun	No Change	00:30			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 5)			
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)			
Wed						
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)			
Fri						
Sat			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 (please read guidance note 7)			
Sun						

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4) NO CHANGE	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5) NO CHANGE					
Mon	No Change	00:30						
Tue	No Change	00:30						
Wed	No Change	00:30				State any seasonal variations for the provision of late night refreshment (please read guidance note 6) NO CHANGE		
Thur	No Change	00:30						
Fri	No Change	00:30						
Sat	No Change	00:30				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 (please read guidance note 7) NO CHANGE		
Sun	No Change	00:30						

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6) NO CHANGE					
Mon	No Change	00:00						
Tue	No Change	00:00						
Wed	No Change	00:00						
Thur	No Change	00:00				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) NO CHANGE		
Fri	No Change	00:00						
Sat	No Change	00:00						

Sun	No Change	00:00	
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K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) NO CHANGE
Day	Start	Finish	
Mon	No Change	00:30	
Tue	No Change	00:30	
Wed	No Change	00:30	
Thur	No Change	00:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) NO CHANGE
Fri	No Change	00:30	
Sat	No Change	00:30	
Sun	No Change	00:30	

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
None

Please tick yes

- 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 failed to enclose the premises licence or relevant part of premises licence

Premises licence with council following recent transfer application.

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,e) (please read guidance note 11)

1.Regarding all off sales by way of delivery from telephone/internet orders, the following will be adhered to:

a) No more than four beers or a 750ml bottle of wine per meal;

b) Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18;

c) Any person taking an order for the supply of alcohol on behalf of the premises licence holder will inform all customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram will be required before alcohol is supplied.

2. The licensee shall ensure that any delivery service employed to facilitate the delivery of alcohol, as an ancillary to a food order, has an adequate proof of age scheme in place, such as the Challenge 25 scheme, to be undertaken at the point of delivery to any customer.

b) The prevention of crime and disorder

See box a) above and existing operating schedule.

c) Public safety

See box a) above and existing operating schedule.

d) The prevention of public nuisance

See box a) above and existing operating schedule.

e) The protection of children from harm

See box a) above and existing operating schedule.

Please tick yes

• 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 – N/A
- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	13 February 2018
Capacity	Poppleston Allen – Solicitors for & 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 14). **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 15)

Natasha Beck
 Poppleston Allen Solicitors
 37 Stoney Street
 The Lace Market

Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9349 192		

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
 n.beck@popall.co.uk

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i)

the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
 5. For example state 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. 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.
 9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
 10. 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.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/3160-010218	Date of original grant*	24 November 2005
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**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			
BYRON 26 COWCROSS STREET			
Post town	London	Post code	EC1M 6DQ
Telephone number	020 7490 8025		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground Floor, including outside seating area:
The provision of regulated entertainment by way of:
<ul style="list-style-type: none"> • The playing of recorded music • The provision of late night refreshment • The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities				
•	The provision of regulated entertainment for the playing of recorded music:			
	Monday	00.00	to	24.00
	Tuesday	00.00	to	24.00
	Wednesday	00.00	to	24.00
	Thursday	00.00	to	24.00
	Friday	00.00	to	24.00
	Saturday	00.00	to	24.00
	Sunday	00.00	to	24.00
•	The provision of late night refreshment in:			
	Monday	23.00	to	00.30 the following day
	Tuesday	23.00	to	00.30 the following day
	Wednesday	23.00	to	00.30 the following day
	Thursday	23.00	to	00.30 the following day
	Friday	23.00	to	00.30 the following day
	Saturday	23.00	to	00.30 the following day
	Sunday	23.00	to	00.00

• The sale by retail of alcohol:

Monday	10.00	to	23.00
Tuesday	10.00	to	23.00
Wednesday	10.00	to	23.00
Thursday	10.00	to	23.00
Friday	10.00	to	23.00
Saturday	10.00	to	23.00
Sunday	12.00	to	22.30

Except on:

Christmas Day when no sale of alcohol is permitted, between 15.00 and 19.00

New Year's Eve, except on a Sunday: 10.00 until the time authorised on the following day

New Year's Eve on a Sunday: 12.00 until the time authorised on the following day.

If there are no permitted hours on the following day, midnight on the 31st December

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

DMWSL 740 Ltd
1st Floor
14-15 Berners Street
London
W1T 3LJ

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

08674679

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

Ms Michelle Jones

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

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

Service Manager (Commercial)

Date of Issue

Annex 1 - Mandatory conditions

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

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

Annex 2 - Conditions consistent with the Operating Schedule

1. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means the authorised hours specified on this licence for the sale by retail of alcohol. This restriction does not prohibit:
 - a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
 - b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - f) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - h) the taking of alcohol from the premises by a person residing there; or
 - i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
3. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:
Children and Young Persons Act 1933
Cinematograph (Safety) Regulations 1955
Sporting Events (Control of Alcohol Etc) Act 1985
5. Alcohol may be sold or supplied to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or on the Ground Floor the permitted hours for the sale or supply of alcohol shall be one hour less than the terminal hour specified above; in such circumstances there shall be no sale or supply of alcohol between 15.00 and 19.00 on Christmas Day.
6. Substantial food shall be available at all time whilst the premises is open to the public.
7. Alcohol shall only be sold to persons seated at tables by waiter/waitress service (except when pre booked for private parties)

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

1. The external area shall not be used after 9pm.
2. All alcohol sold for consumption in the external area shall be served as ancillary to a meal.
3. Chairs and tables in the external area be chained to prevent use as soon as reasonably practicable after 9pm.

Annex 4 – Plans

Reference Number: 12007/801 rev A (12.12.03)



Premises Licence Summary

Licensing Act 2003

Premises licence number	LN/3160-010218	Date of original grant*	24 November 2005
--------------------------------	----------------	--------------------------------	------------------

**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			
BYRON			
26 COWCROSS STREET			
Post town	London	Post code	EC1M 6DQ
Telephone number	020 7490 8025		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground Floor, including outside seating area:
The provision of regulated entertainment by way of:
<ul style="list-style-type: none"> • The playing of recorded music • The provision of late night refreshment • The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities				
•	The provision of regulated entertainment for the playing of recorded music:			
	Monday	00.00	to	24.00
	Tuesday	00.00	to	24.00
	Wednesday	00.00	to	24.00
	Thursday	00.00	to	24.00
	Friday	00.00	to	24.00
	Saturday	00.00	to	24.00
	Sunday	00.00	to	24.00
•	The provision of late night refreshment in:			
	Monday	23.00	to	00.30 the following day
	Tuesday	23.00	to	00.30 the following day
	Wednesday	23.00	to	00.30 the following day
	Thursday	23.00	to	00.30 the following day
	Friday	23.00	to	00.30 the following day
	Saturday	23.00	to	00.30 the following day
	Sunday	23.00	to	00.00

• The sale by retail of alcohol:

Monday	10.00	to	23.00
Tuesday	10.00	to	23.00
Wednesday	10.00	to	23.00
Thursday	10.00	to	23.00
Friday	10.00	to	23.00
Saturday	10.00	to	23.00
Sunday	12.00	to	22.30

Except on:

Christmas Day when no sale of alcohol is permitted, between 15.00 and 19.00

New Year's Eve, except on a Sunday: 10.00 until the time authorised on the following day

New Year's Eve on a Sunday: 12.00 until the time authorised on the following day.

If there are no permitted hours on the following day, midnight on the 31st December

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

On supplies

Name, (registered) address of holder of premises licence

DMWSL 740 Ltd
1st Floor
14-15 Berners Street
London
W1T 3LJ

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

08674679

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Ms Michelle Jones

State whether access to the premises by children is restricted or prohibited

It is an offence to allow persons under the age of 16 years to be on the premises whilst it is open exclusively or primarily for the supply of alcohol for consumption on the premises unless they are accompanied by a person aged 18 or over.

No unaccompanied person under the age of 16 years shall be permitted on the premises between 12 midnight and 5am if alcohol is supplied for consumption on the premises.

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

PROPOSED GROUND AND BASEMENT PLAN - LICENSE



PROPOSED BASEMENT PLAN 1:50 @ A1

PROPOSED GROUND PLAN 1:50 @ A1



RED LINE DENOTES LICENSABLE AREA

- 3 hr maintained exit legend
- 3 hr maintained exit light & legend
- 3 hr non maintained recessed light
- 3 hr non maintained surface light
- 3 hr non maintained recessed LED light
- 3 hr maintained external light
- 3 hr non maintained flood light
- Fire lighting equipment
- PIR
- Fire Alarm Panel
- Magnetic Door Hold
- Manual Call Point
- Heat Detector
- Smoke Detector
- Indicator For Voids Detector
- Indicates Void Detector
- Sounder
- Zircon Beacon
- Denotes Sounder Bases

NOTE: The current location of fire safety equipment and other safety equipment is shown. These may be subject to variation in the future as necessary and where applicable in liaison with the fire officer.

REVISIONS

A	01.12.2012	QUOTED
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Michaelis Boyd Associates Ltd
 108 Palace Gardens Terrace London W8 4RT
 t +44(0)20 7221 1237 f +44(0)20 7221 0130
 michaelisboyd.com

Client: Byron	Date Created: 12/10/20
Project: 26 Cowcross Street London, EC1M 8DQ	
Drawing Title: Proposed Ground & Basement Plan - License	
Scale: 1:50 @ A1	Revision Date: 12/12/03
Drawing No: 12007/801	Drawn by: [blank] Checked by: [blank] Revision: A

DO NOT SCALE FROM DRAWING. ALWAYS TO BE CHECKED ON SITE. REPORT OMISSIONS AND DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.

Williams, John

From: [REDACTED]
Sent: 28 February 2018 15:59
To: Williams, John
Subject: Re: Byron,26-27 Cowcross Street O licence variation application

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Thanks

Sent from my iPhone

On 28 Feb 2018, at 15:42, Williams, John <John.Williams@islington.gov.uk> wrote:

[REDACTED]
Please provide your full residential address if you wish us to accept your written submission as a representation against the above application.

Regards
John Williams
Licensing Support Officer
Public Protection
222 Upper Street
London
N1 1XR
Tel: 020 7527 3803
Fax: 020 7527 3430
Email: john.williams@islington.gov.uk
Website: www.islington.gov.uk

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

Protection of Children from Harm

N/A

Public Safety

There is a large piazza directly by this Byron, where people gather late at night (post Byron & post fabric shops etc) so WHY is it helpful to let Byron now open until Midnight or 12:30 7 days a week = with no "public awareness" of residents trying to sleep immediately above & around it?

I wish my identity to be kept anonymous: Yes/ No

We will treat representations as anonymous where there is a genuine reason to do so; if you wish your name and address details to be withheld then please explain the reason:

Copies of this representation will be sent to the applicant, or their agent/solicitor, including name and address details (but other personal contact information such as telephone numbers and email addresses will be removed) unless you have specifically requested anonymity. Copies of this representation will be included in a report that will be available to the public and will be published on the internet; however the published on-line version of the report will have name and address details removed.

Signature: _____
Date: _____

Please ensure name and address details completed above

Return to:

Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR
or send by email to: licensing@islington.gov.uk

5 years ago Pizza Express [before Byrons] asked for same again & rightly this was opposed. Also actually OUTSIDE, with tables brought in, needs to be ~~at~~ remain at 9pm & STUCK TOO across the SUMMER TOO.

[Redacted]

[Redacted]

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

20 February 2018

Application to vary a Premises License: Byron, Cowcross Street

Dear Sir or Madam:

I am writing to oppose the application made by Byron Hamburgers. [Redacted]
[Redacted]

We have had many noise issues with Byron over the years. The restaurant spills out onto the courtyard [Redacted] and this has often become a venue for late night parties, particularly in the summer months.

It is almost impossible to sleep when live music is being played [Redacted] As residents, we have a right to peace and quiet late in the evening.

I also question the right of a hamburger restaurant to turn themselves into an off-license (item two of their proposal). Selling alcohol up until midnight, in the knowledge that this can then be consumed in a residential courtyard until much later is clearly antisocial and I very much hope you will reject this application.

Yours sincerely,

[Redacted signature block]

LBI Licensing
22 FEB 2018

[REDACTED]

[REDACTED]

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

Re: License DMWSL 740 - Byron 26 Cowcross st

Dear Sir or Madam,

I'm writing to oppose the license application of Byron in Cowcross st to be able to serve alcohol and play music until midnight, sometimes later during the week.

In an area filled with bars and pubs, it is in fact Byron that give us some of the worst disruption. Their kitchen fans stay on well into the night and they often drag their outdoor seating at 11 or 11.30pm (when it should be closed much earlier) across the ground.

I [REDACTED] the restaurant in a courtyard that echoes every single sound. As well as mine there are loads and loads of [REDACTED]. By serving until midnight Byron are nearly trying to target drunk people passing by who already often enter the courtyard to drink, shout and sometimes fight.

The residents of this area already put up with a lot from Byron (and their neighbours, a Sports Bar). Allowing this license will surely be the nail in the coffin to any hope of a decent night sleep. This application is unnecessary and almost insulting, a classic case of big business putting it's profits before people.

Yours sincerely,

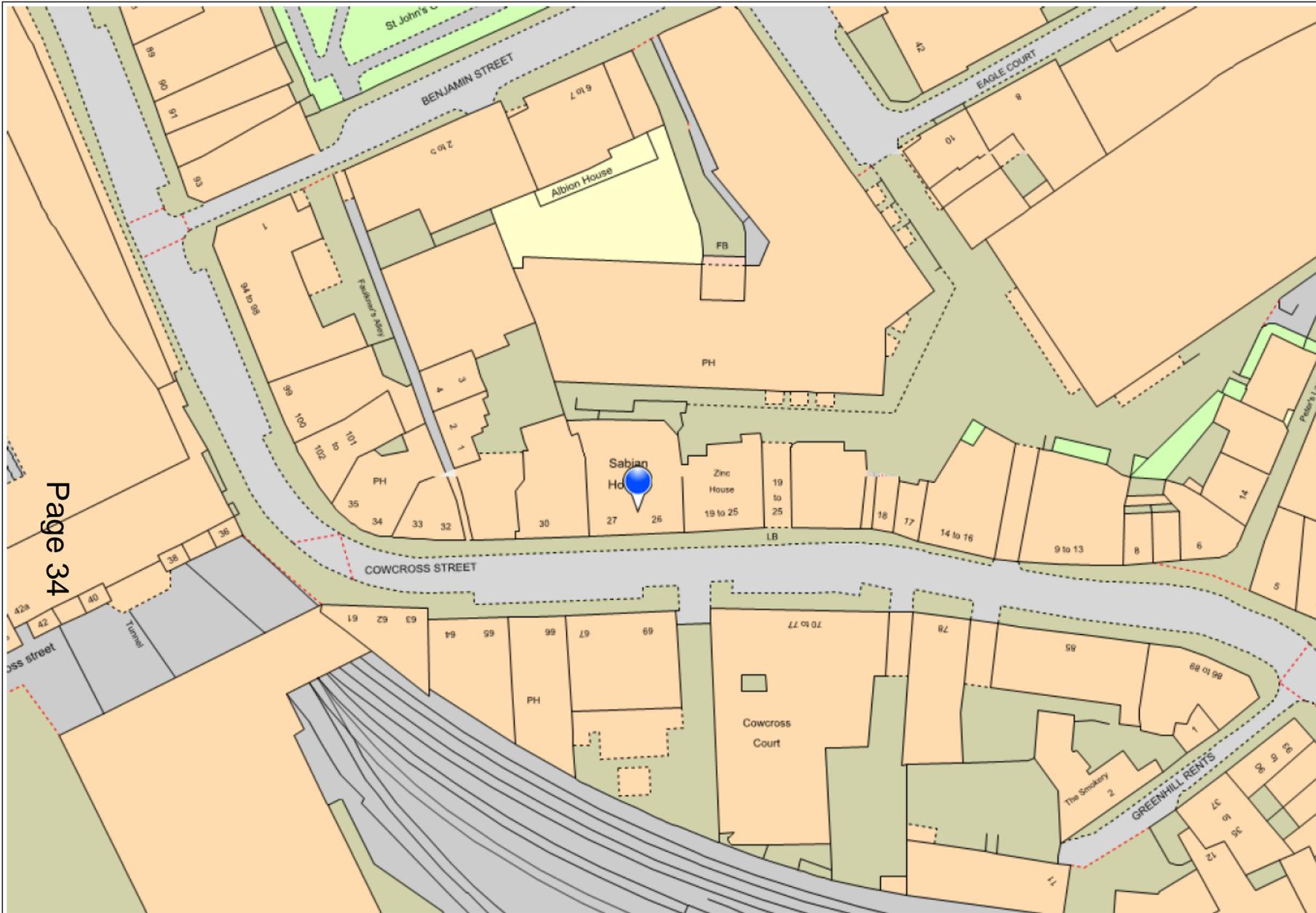
[REDACTED]

[REDACTED]

LBI Licensing
22 FEB 2018

Suggested conditions of approval consistent with the operating schedule

1. Off-supplies of alcohol, provided by way of home delivery following a telephone or internet order, are subject to the below:
 - a. No more than four beers or a 750ml bottle of wine per meal;
 - b. Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18;
 - c. Any person taking an order for the supply of alcohol on behalf of the premises licence holder will inform all customers that proof of age by way of a photographic driving licence, Passport or a form of identification with the PASS hologram will be required before alcohol is supplied;
2. The licensee shall ensure that any delivery service employed to facilitate the delivery of alcohol, as an ancillary to a food order, has an adequate proof of age scheme in place, such as the Challenge 25 Scheme, to be undertaken at the point of delivery to any customer.





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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	24 April 2018		Clerkenwell

Delete as appropriate		Non-exempt
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Subject: NEW PREMISES LICENCE APPLICATION
RE: GREAT, 98 FARRINGDON ROAD, LONDON, EC1R 3EA

Synopsis

- 1.1 This is an application for a new premises licence under the Licensing Act 2003.
- 1.2 The application (as amended) to allow:
 - i) The sale by retail of alcohol for consumption on and off the premises from 10:00 until 23:00 Monday to Sunday;
 - ii) Late night refreshment from 23:00 to 01:00 Monday to Sunday;
 - iii) Opening hours, from 12:00 until 01:00 Monday to Sunday.
- 1.3 The premises has been licensed since 5 January 2012 for late night refreshment 23:00 to 02:00 Sunday to Thursday and 23:00 to 03:00 Friday and Saturday with opening times of 11:00 to 03:00 Sunday to Thursday and 11:00 to 04:00 Friday and Saturday.

2. Relevant Representations

Licensing Authority	No – Conditions Agreed
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 – Two residents
Other bodies	No

3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form and updated operating schedule;

Appendix 2: current premises licence;

Appendix 3: representation;

Appendix 4: suggested conditions and map of premises location.

3.2 The premises are located in the Clerkenwell Cumulative Impact Area. The terminal hour of the premises complies with those recommended within Policy 6 but not comply within the specific policy for off sales in the Clerkenwell Cumulative Impact Area Policy 3.

3.3 The Licensing Authority received one letter of representation in opposition to this application from two local residents.

3.4 The applicant has accepted conditions from the Police and Islington's Licensing Authority and Noise Team.

4. Planning Implications

4.1 The Planning Service has reported that there are no outstanding planning issues in relation to this premises, or enforcement cases open in relation to the property.

5. Recommendations

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

- 5.2 If the Committee grants the application it should be subject to:
- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 3);
 - ii. conditions recommended by Responsible Authorities deemed appropriate by the Committee (see appendix 3); and
 - iii. any additional conditions deemed appropriate by the Committee to promote the four licensing objectives.

6. Conclusion and reasons for recommendations

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

Background papers:

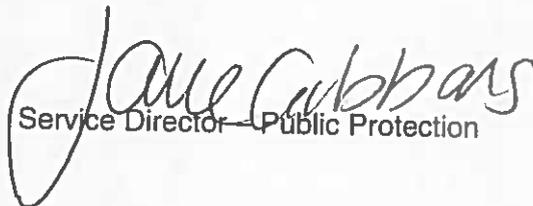
The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance

Signed by


Service Director - Public Protection

Date 11/4/18

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service
Tel: 020 75027 3031
E-mail: licensing@islington.gov.uk

* required information

Section 1 of 21

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

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

RESTAURANT THAT WILL BE SERVING GREEK FOOD -THE PREMISES ARE REFUBRISHED AT PRESENT AND WE AIM TO OPEN IN

Continued from previous page...

EARLY APRIL -THE FOOD AND ALCOHOL WILL BE SERVED AND SOLD ON THE GROUND FLOOR OF THE RESTAURANT -THE BASEMENT WILL BE USED SOLELEY FOR FOOD PREPARATION -CUSTOMERS TOILETS ARE LOCATED IN THE BASEMENT.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes

No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

Continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations

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

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

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

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start 10:00

End 23:00

Start

End

WEDNESDAY

Start 10:00

End 23:00

Start

End

THURSDAY

Start 10:00

End 23:00

Start

End

FRIDAY

Start 10:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

Continued from previous page...

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

NONE

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

Continued from previous page...

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

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

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

BUSINESS MANAGER AND RESTAURANT SUPERVISOR(S) ON SITE AT ALL TIMES
CALL THE POLICE IF NEEDED TO ENSURE CUSTOMERS AND STAFF SAFETY
CCTV CAMERAS WILL BE INSTALLED IN THE PREMISES
SHOP WILL BE CLOSED IF NEEDED TO PREVENT CUSTOMERS AND STAFF SAFETY

b) The prevention of crime and disorder

BUSINESS MANAGER AND RESTAURANT SUPERVISOR(S) ON SITE AT ALL TIMES
CALL THE POLICE IF NEEDED TO ENSURE CUSTOMERS AND STAFF SAFETY
CCTV CAMERAS WILL BE INSTALLED IN THE PREMISES
SHOP WILL BE CLOSED IF NEEDED TO PREVENT CUSTOMERS AND STAFF SAFETY

c) Public safety

BUSINESS MANAGER AND RESTAURANT SUPERVISOR(S) ON SITE AT ALL TIMES
CALL THE POLICE IF NEEDED TO ENSURE CUSTOMERS AND STAFF SAFETY
CCTV CAMERAS WILL BE INSTALLED IN THE PREMISES
SHOP WILL BE CLOSED IF NEEDED TO PREVENT CUSTOMERS AND STAFF SAFETY

d) The prevention of public nuisance

BUSINESS MANAGER AND RESTAURANT SUPERVISOR(S) ON SITE AT ALL TIMES
CALL THE POLICE IF NEEDED
CCTV CAMERAS WILL BE INSTALLED IN THE PREMISES
SHOP WILL BE CLOSED IF NEEDED

e) The protection of children from harm

ALCOHOL WILL NOT BE SERVED TO PEOPLE UNDER 18YEARS OF AGR
ALCOHOL WILL NOT BE PROMOTED IN THE PREMISES
BUSINESS MANAGER AND RESTAURANT SUPERVISOR(S) ON SITE AT ALL TIMES
CALL THE POLICE IF NEEDED TO ENSURE CUSTOMERS AND STAFF SAFETY
CCTV CAMERAS WILL BE INSTALLED IN THE PREMISES
SHOP WILL BE CLOSED IF NEEDED TO PREVENT CUSTOMERS AND STAFF SAFETY

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

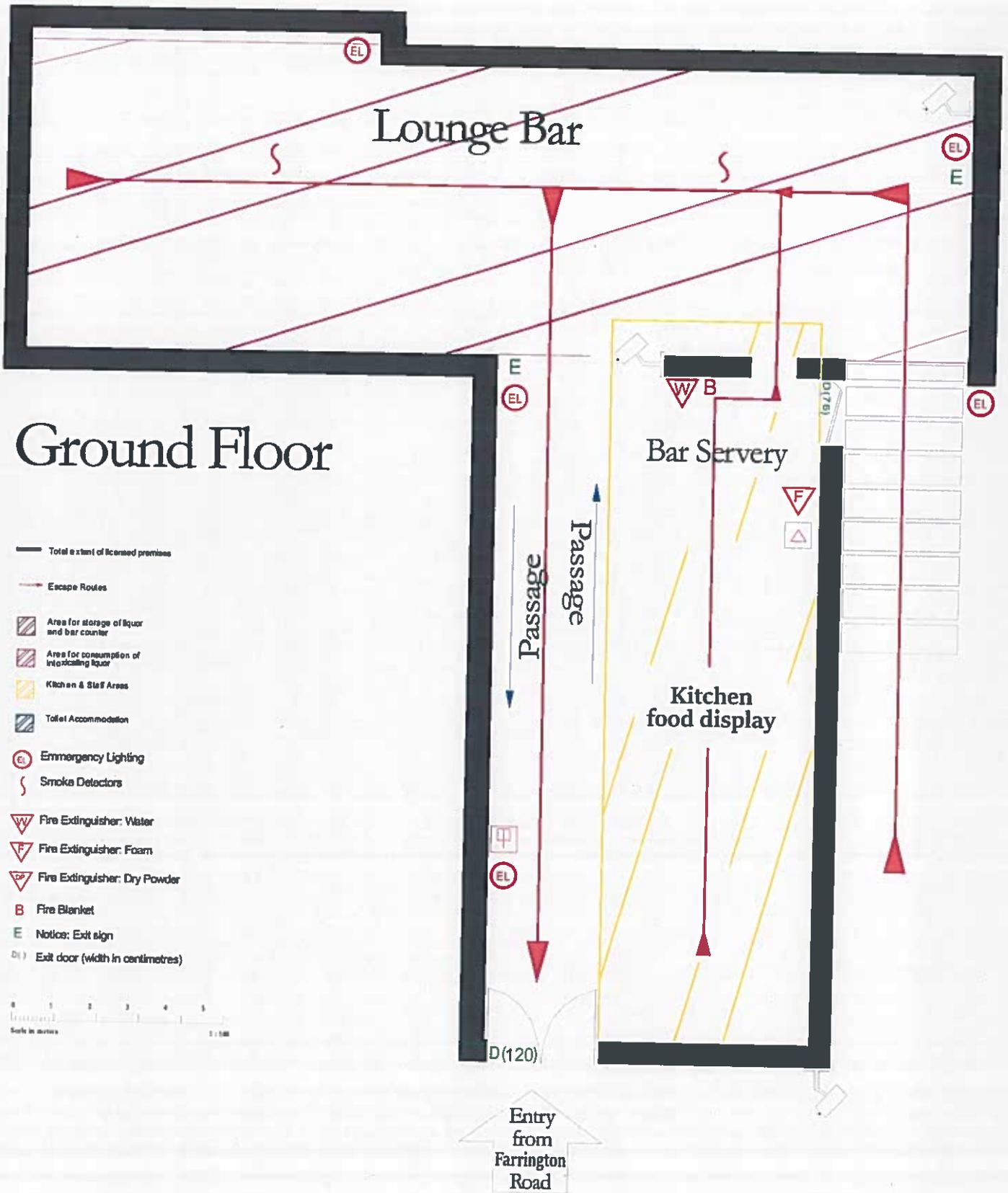
1. Save this form to your computer by clicking file/save as...

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

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

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED



Operating Schedule

Name of Applicant: Aikaterini Giakoumi

Premises Name: GReat

Address of premises: 98 Farringdon Road, EC1R 3EA

To promote all licensing objectives we will keep:

- Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet all licensing objectives with particular attention to:
 - a. No selling of alcohol to underage people
 - b. No drunk or disorderly behavior on the premises area
 - c. Vigilance in preventing the use and sale of illegal drugs at the retail area
 - d. No violence and anti-social behavior
 - e. No any harm to children

Operating schedule providing the hours of operation and licensable activities during those hours - Opening hours 10am – 1am Monday- Sunday.

Provide late night refreshment (hot food) only until 1am each day.

Sale of alcohol on and off the premises will be from 10am to 11pm each day.

All alcohol sold at the premises will be consumed by 11.30pm each day.

- Designated premises supervisor confirmed –Mr Dimitrios Bardanis -who will be obligated to be in day to day control of the premises, to provide good training for staff on the Licensing Act (Training Records will be kept), to make or authorize each sale
- Clear “Challenge 25” Information to prevent the supply of alcohol to underage drinkers
- CCTV Systems installed with recording options available.
- Roller metal exterior window shutter are already fixed to ensure that shop front is safe and secure at all times.

The prevention of crime and disorder

- CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.
- Will ensure that monitoring tapes are retained for at least 28 days and are produced to an authorized officer on demand.
- Will put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premises.
- A clear and legible notice outside the premises indicating the normal hours under the terms of the premises license during which licensable activities are permitted.

- Clear and conscious notices warning of potential criminal activity, such as theft, may target customers will be displayed.
- No selling of alcohol to drunk or intoxicated customers.
- No customers will be admitted, or permitted to leave when carrying open or sealed bottles or glasses.
- Off sales of alcohol shall only be for home delivery or collection and shall accompany the sale of a meal.
- No more than four beers / ciders or a 750 ml of wine per off sale order.
- No vertical drinking.
- Alcohol sales on the premises only permissible to seated customers and accompanying a main meal.
- Drinks will only be available for consumption from plastic vessels and toughened glass.
- Where glass bottles are used, they will be retained or disposed of on the premises.
- Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
- Prevention and vigilance in illegal drug use at the retail unit area.
- A secure deposit box will be kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal.
- Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit.

Public safety

- Internal and external lighting fixed to promote the public safety objective
- Well trained staff adherence to environmental health requirements
- Training and implementation of underage ID checks
- A log book will be kept upon the premises in which shall be entered particulars of inspections made: those required to be made by stature, and information compiled to comply with any public safety condition attached to the premises license that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorized by the Licensing Act 2003 or associated legislation.
- All parts of the premises and all fittings, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.
- Will ensure that escape routes and exits are maintained to ensure that they are not obstructed, in good order with non-slippery and uneven surfaces, free of trip hazards and clearly identified.

- Will make sure that the exit door is regularly checked to ensure that it functions satisfactorily and a record of the check is kept.
- Will make sure that temporary decorations and hangings are arranged so as not to obstruct exits, fire safety signs or fire fighting equipment.
- Will make sure that notices detailing the action to be taken in the event of a fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration.
- The fire brigade will be called at once and any outbreak of fire, however slight, and the details recorded in a Fire Log book.
- Will make sure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency.
- Will make sure that adequate and appropriate supply of first aid equipment and materials is available on the premises.
- I will make sure that I have valid public liability insurance in force and that a copy of the schedule is available for inspection by an authorized officer on request.
- Will make sure that we keep all relevant safety certificates on the premises including electrical safety, emergency lighting, firefighting equipment, smoke alarms and our current Fire Risk Assessment. All these documents should be kept up to date and on the premises for inspection by authorised officers.
- Will make free drinking water available at all times the premises is open to the public.
- Will provide a "hot line" to a local taxi firm
- Will provide sufficient seating to accommodation of the maximum capacity of the premises.
- Will make sure that where tables and chairs are provided, clear gangways to exits are maintained.
- Will not use any appliances utilizing cylinders or containers of gas on the premises
- Will not use any paraffin or other mineral oil in lamp, stove or other appliance except for cooking purposes.

The prevention of public nuisance

- Noise reduction measures to address the public nuisance objective.
- Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
- Delivery of goods for the operation of business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

- The License will ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
- Customers will be asked not to stand around loudly talking in the street outside the premises.
- Customers will not be admitted to premises above opening hours.
- The movement of bins and rubbish outside the premises will be kept to a minimum after 11pm. This will help reduce the level of noise produced by the premises.
- Any lighting on or outside the premises will be positioned and screened in such a way as to not cause a disturbance to nearby residents.
- Adequate waste receptacles for use by customers will be provided in the local vicinity.
- Will make sure that during the final hours of opening the music is discernibly quieter.
- Will make sure that the placing of bottles into receptacles outside the premises takes place at times that will minimize disturbance to nearby properties.
- I will make sure that doors and windows are kept closed (except from ingress and egress) to reduce noise nuisance from the premises.
- Will make sure that any requests by an authorized officer of the council in relation to reducing noise levels is complied with.
- Will ensure that offensive smells from the licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
- Ensure that receptacles for waste are emptied regularly to minimize nuisance smells.

The protection of children from harm

- “Challenge 25” sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID if they wish to buy alcohol.
- Will require that children under the age of 12 are accompanied by adults after 11pm in the evening.
- Well trained staff about requirement for persons’ identification, age establishment etc
- All the details will be provided in the Training Record Book available at the retail unit.
- Log book will be kept upon the premises at all times.



PREMISES LICENCE LICENSING ACT 2003

Premises licence number	LN/13440-241214	Date of original grant*	05 January 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			
FRYINGDON			
98 FARRINGDON ROAD			
Post town	London	Post code	EC1R 3EA
Telephone number	020 7278 0673		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground Floor
<ul style="list-style-type: none"> The supply of late night refreshment

The times the licence authorises the carrying out of licensable activities			
<ul style="list-style-type: none"> The supply of late night refreshment: 			
Monday	23.00	to	02.00
Tuesday	23.00	to	02.00
Wednesday	23.00	to	02.00
Thursday	23.00	to	02.00
Friday	23.00	to	03.00
Saturday	23.00	to	03.00
Sunday	23.00	to	02.00

The opening hours of the premises:			
Monday	11.00	to	03.00
Tuesday	11.00	to	03.00
Wednesday	11.00	to	03.00
Thursday	11.00	to	03.00
Friday	11.00	to	04.00
Saturday	11.00	to	04.00
Sunday	11.00	to	03.00

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

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

Mr Mustafa Keles
Fryingdon
98 Farringdon Road
London
EC1R 3EA

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

N/a

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

N/a

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

N/a

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

Service Manager (Commercial)

Date of Issue

Annex 1 - Mandatory conditions

Annex 2 - Conditions consistent with the Operating Schedule

1. CCTV shall be installed, operated and maintained in agreement with the Police. The system shall enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. A working copy shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
2. Appropriate fire safety procedures shall be maintained in place along with appliances including fire extinguishers (Foam, H2O and CO2), fire blankets, internally illuminated fire exit signs a smoke detector and emergency lighting. All appliances shall be checked annually and comply with relevant British Standards.
3. All fire escapes/escape routes shall be clearly marked and kept free from obstructions at all times.
4. All customers shall be asked to leave quietly. Clear and legible notices shall be displayed to remind customers to leave quietly.
5. To protect children from harm the licensee shall take steps to ensure:
 - i) the premises are effectively and responsibly managed.
 - ii) The provision of a sufficient number of people employed or engaged
 - iii) Appropriate instruction, training and supervision of those employed or engaged.
6. No deliveries will take place on Sundays or Bank Holiday and between the hours of 10pm and 7am other days of the week.
7. No rubbish including bottles will be moved, removed or placed in outside area on Sunday or Bank Holiday and between the hours of 10pm and 7am other days of the week.
8. Doors to the premises to be kept closed between 11pm and 8am.
9. 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 area quietly.
10. **The premises shall not be used under the licence until the requirements specified in the schedule dated 6 December 2011 have been completed and approved in writing by the responsible authority for health and public safety**

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

Annex 4 – Plans

Reference Number: B.T20011

Williams, John

From:
Sent: 02 April 2018 13:34
To: Licensing
Cc:
Subject: Re: GREAT 98 FARRINGDON ROAD, ISLINGTON, LONDON EC1R 3EA Your ref: WK/180006239

Dear Sir/Madam

Your ref: WK/180006239

Re: GREAT 98 FARRINGDON ROAD, ISLINGTON, LONDON EC1R 3EA

We are writing to register our objection to the application for a premises licence by GREAT 98 FARRINGDON ROAD, ISLINGTON, and LONDON EC1R.

The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of public nuisance.

The previous licensee Fryingdon was licenced for late night refreshment for Sunday to Thursday 23:00 until 02:00 and Friday and Saturday 23:00 till 03:00. They were not licenced for the sale of alcohol. Due to poor trading, Fryingdon had not traded beyond midnight for a long time.

The other restaurants and bars located in, mainly Exmouth market, close mostly before midnight 7 days a week. Despite this, local residents have been suffering nuisance cause by drunken nuisance, anti-social behaviour and noise and smell nuisance from compressors and smell extraction machines.

We are local residents living only metres away directly behind the 98 Farringdon Road London EC1R 3EA. Their flue and extraction system are metres away from our windows of bedrooms and sitting rooms. The noise and smell have always been an issue, but having the shop closed before midnight, it was somewhat tolerable in the winter when opening windows for ventilations and temperature control was not essential. However, in the summer months, it has been intolerable. Complaints to the environmental health office were made which led to some improvements given the noise and smell level fell within a set limit but not eliminated.

The current premises is in the conservation area and very close to numerous residential properties. There are flats above the restaurants and shops, plus Lévyne Court (a residential block) behind.

The extended trading hours of late night refreshment would mean an even longer period of smell and noise emitting from the back of the premises which will affect even more the quality of lives of the local residents and deprive us our ability to enjoy our property.

We are in particularly concerned by the application of the sale of alcohol. There are numerous restaurants and bars nearby and often their customers, while intoxicated, caused public nuisance whether by having late night loud conversations while waiting for transport and in front of residents' property, smoking outside our bedroom windows and leaving cigarette butts behind. Some had displayed misdemeanour and indecent behaviour either near to local residences or actually inside our front gardens. This was particularly worse during the festive period. Some

residents experienced someone having vomited, urinated or even defecated in some of our front gardens or front doors. These are all alcohol related.

The application of the sale of alcohol will increase and encourage alcohol usage which would lead to an even higher frequency of suffering to the local residents from nuisance conducted by people who drink irresponsibly because of increased access to alcohol.

The application of extended hours, of allowing late night refreshment and the sale of alcohol which may be consumed on or off the premises, will only extend and worsen the above public nuisance.

We would like to ask the Licensing Service to take our plea and refuse the application

Please keep us updated on this matter.

Yours faithfully

Suggested conditions of approval consistent with the operating schedule

1. The premises licence holder shall ensure that staff are trained on the Licensing Act requirements, licensing objectives, Challenge 25e, dealing with intoxicated or difficult customers and prevention of nuisance to residents. Records of the training will be signed by the individual staff members to confirm that they have understood the training. All training records will be kept on the premises including the instruction given to staff.
2. 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.
3. No customers shall be admitted, or permitted to leave when carrying open or sealed bottles or glasses.
4. Drinks shall only be available for consumption in plastic vessels and toughened glass.
5. Where glass bottles are used, they shall be retained or disposed of on the premises.
6. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
7. A log book will be kept on the premises in which shall be entered particulars of daily pre-opening inspections, council or police visits or the outbreak of any fire. The log book shall be kept available for inspection when required by persons authorized by the Licensing Act 2003 or associated legislation.
8. All parts of the premises and all fittings, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.
9. The licensee shall ensure that escape routes and exits are maintained to ensure that they are not obstructed, in good order with non-slippery and uneven surfaces, free of trip hazards and clearly identified.
10. Temporary decorations and hangings are arranged so they do not obstruct exits, fire safety signs or fire fighting equipment.
11. Notices detailing the action to be taken in the event of a fire or other emergencies, including how the fire brigade should be summoned, shall be prominently displayed and protected from damage and deterioration.
12. Staff will receive fire prevention training including safe evacuation in the event of an emergency.
13. Adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
14. All relevant safety certificates shall be kept on the premises including: electrical safety, emergency lighting, firefighting equipment, smoke alarms and our current Fire Risk Assessment. All these documents shall be kept up to date and on the premises for inspection by authorised officers.
15. There shall be sufficient seating to accommodate the maximum capacity of the premises.
16. No appliances utilizing cylinders or containers of gas shall be kept on the premises
17. No paraffin or other mineral oil in lamp, stove or other appliance (except for cooking purposes) shall be used on the premises.
18. Delivery of goods for the operation of business shall be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

Suggested conditions from the Licensing Authority – Agreed

19. The premises licence holder will encourage our patrons to leave the premises in an orderly manner and to be respectful of local residents.
20. All alcohol sold at the premises will be consumed by 11.30pm each day.
21. Off sales of alcohol shall only be for home delivery or collection and shall accompany the sale of a meal.
22. No more than four beers / ciders or a 750 ml of wine per off sale order.
23. No vertical drinking.
24. Alcohol sales on the premises only permissible to seated customers and accompanying a main meal.

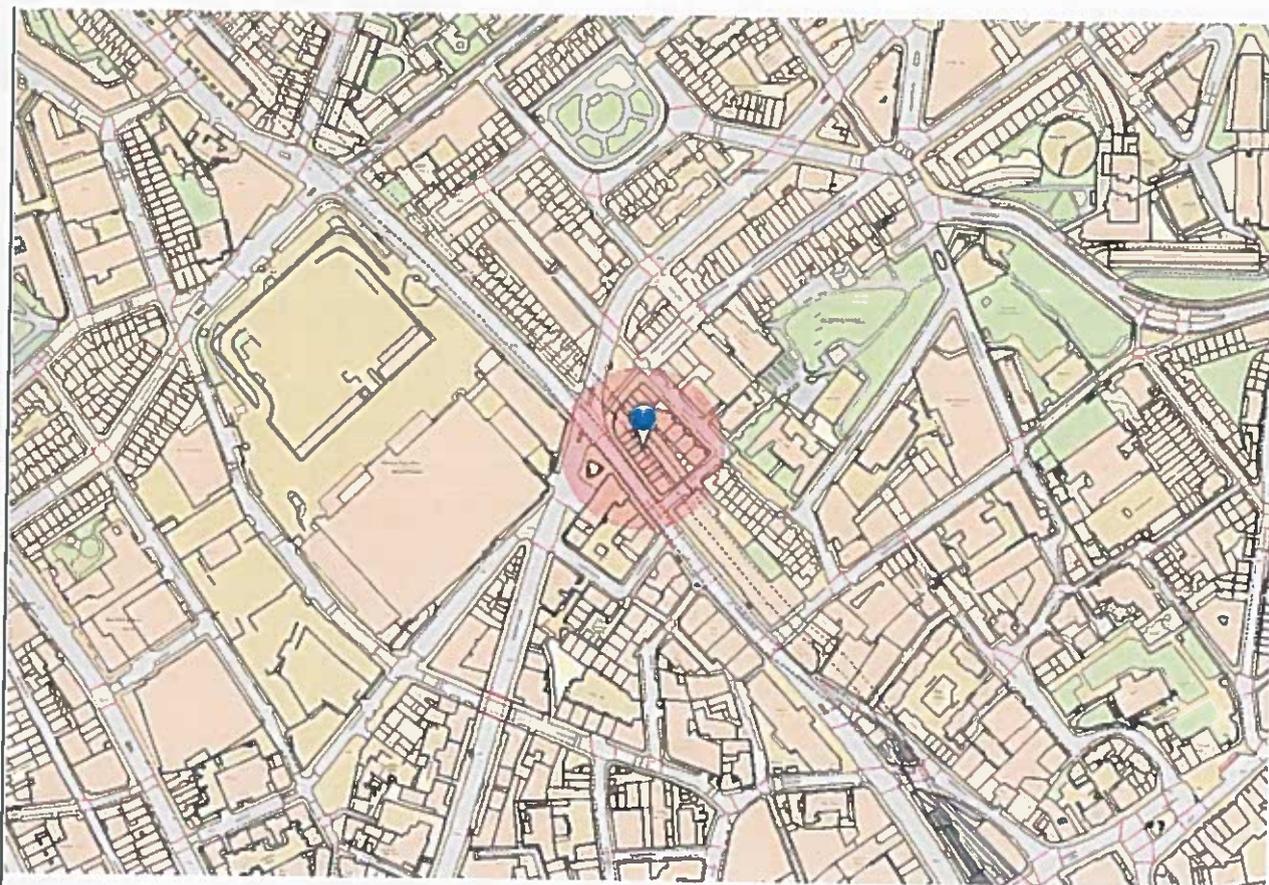
Suggested conditions from the Police – Agreed

25. In the event that an assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
26. 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
27. 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.

Suggested conditions from Islington's Noise Service – Agreed

28. The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.
29. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.

30. The sound insulation properties of the premises must be maintained and kept in good order.
31. 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.
32. Bottling out from the premises is prohibited between 23:00 hours and 07:00 hours.
33. There shall be no vertical drinking.
34. Music shall be restricted to ambient background levels of sound.
35. The delivery of licensable goods shall be restricted to the hours between 09:00 and 19:00 Monday-Saturday. No deliveries shall be made on a Sunday or Bank Holiday.
36. Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause nuisance to the occupants of any properties in the vicinity
37. Exterior lighting shall be directed away from residential properties.
38. The shutters at the premises shall be suitably maintained so as not to cause a noise nuisance



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