



**Governance and Human Resources
Town Hall, Upper Street, London, N1 2UD**

AGENDA FOR THE LICENSING SUB COMMITTEE A

Members of Licensing Sub Committee A are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on **1 August 2017 at 6.30 pm.**

**Yinka Owa
Director of Law and Governance**

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
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Despatched : 24 July 2017

Membership

Councillor Gary Poole (Chair)
Councillor Michelline Safi Ngongo (Vice-Chair)
Councillor Rakhia Ismail

Substitute

All other members of the Licensing committee

Quorum: is 3 Councillors

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



A.	Formal matters	Page
1.	Introductions and procedure	
2.	Apologies for absence	
3.	Declarations of substitute members	
4.	Declarations of interest	
	<p>If you have a Disclosable Pecuniary Interest* in an item of business:</p> <ul style="list-style-type: none"> ▪ 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. <p>In both the above cases, you must leave the room without participating in discussion of the item.</p> <p>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.</p> <p>*(a)Employment, etc - Any employment, office, trade, profession or vocation carried on for profit or gain.</p> <p>(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.</p> <p>(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.</p> <p>(d) Land - Any beneficial interest in land which is within the council's area.</p> <p>(e) Licences- Any licence to occupy land in the council's area for a month or longer.</p> <p>(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.</p> <p>(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.</p> <p>This applies to all members present at the meeting.</p>	
5.	Order of Business	
6.	Minutes of Previous Meeting	1 - 10
B.	Items for Decision	Page
1.	Crepe Affair, 47-53 Camden Passage, London, N1 8EA - New premises licence	11 - 52

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| 2. | Yum Yum, 379 St Johns Street, EC1V 4LD - New premises licence | 53 - 92 |
| 3. | Borough Wines, 344-346 Essex Road, N1 3PD - Premises licence variation | 93 - 118 |

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 A - 1 June 2017

Minutes of the meeting of the Licensing Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 1 June 2017 at 6.30 pm.

Present: **Councillors:** Rakhia Ismail, Michelline Ngongo and Nick Wayne
Also **Councillors:** Gary Poole (Item B2)
Present:

Councillor Nick Wayne in the Chair

164 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.

165 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Gary Poole.

166 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Wayne substituted for Councillor Poole.

167 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

168 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

169 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED

That the minutes of the meeting held on the 3 April 2017 be confirmed as a correct record and the Chair be authorised to sign them.

170 TITANIA, 113 HOLLOWAY ROAD, N7 8LT - NEW PREMISES LICENCE (Item B1)

The Sub-Committee noted that confirmation had been received from the applicant agreeing to an adjournment to the 19 June 2017. The interested parties had also been in agreement to this.

RESOLVED

That the application for a new premises licence, in respect of Titania, 113 Holloway Road, N7 8LT be adjourned until the 19 June 2017.

171

HUMBLE GRAPE, 11-13 THEBERTON STREET, N1 0QY - NEW PREMISES LICENCE
(Item B2)

The Sub-Committee noted the additional papers tabled; a letter submitted by the interested parties and a proposed list of conditions submitted by the licensing officer reflecting the comments of the interested parties. These papers would be interleaved with the agenda papers. The Sub-Committee noted that the applicant agreed to delete conditions 1, 6 and 7d but stated that they would prefer conditions 3 and 8 to remain.

The licensing officer informed that due to an administrative error, Councillor Gary Poole had been unable to submit a representation.

The licensing authority reported that the latest documents had been considered and in response to a question from the Chair of the Sub-Committee clarified that the representation still remained but should the Sub-Committee grant the application they would suggest imposing the tabled conditions.

The Sub-Committee noted that condition 5 regarding CCTV was a condition that was regularly applied to licences.

The noise team reported that the applicant had agreed the noise conditions.

The interested parties reported that they had met with the applicant. A resident raised concerns that the premises had been food led for the past twenty years and would now be drinks led if this application was granted. The cumulative impact would be significant. There were many residents living in close proximity and they would want the impact to be mitigated. The resident would prefer a condition to restrict the sale of alcohol with the provision of food and they would also require a limit on the number of events held. Residents remained opposed to the off-licence. The resident stated that the area was saturated with off licences. Residents were opposed to the outdoor tables and stated that there was a narrow pavement outside the premises and the noise from customers would be a nuisance to neighbours. There would need to be an off sales licence if serving alcohol to the tables outside. Deliveries were already a nuisance, particularly at those premises adjoining Humble Grape and residents would not want a 10pm delivery service which they considered would change the nature of the establishment.

In response to questions, the Sub-Committee noted that the pavement outside was narrow for tables and chairs outside which made it difficult to pass by unencumbered. The road opposite acted as a funnel for noise from the tables and chairs and the resident stated that there would be a loss of amenity. It was noted that Humble Grape at Fleet Street had a different location type and this application would be judged on its merits in this location. The Sub-Committee noted that this premises had its own curtilage and did not require a tables and chairs licence. However an off licence would be required to serve alcohol to the outside tables and chairs.

The applicant informed the Sub-Committee that the business was a new concept where wines were imported from tiny vineyards and served with ethically sourced food. It would be a seated wine bar which served food. The applicant lived next door to a Humble Grape premises in Battersea and considered that the business would be good for the neighbourhood. The premises would be local neighbourhood reliant and the applicant would distribute telephone numbers and email addresses in case of problems, although it was considered that there would not be any. The member of staff at the reception would show customers to the bar or a table. Wine to be taken away could be selected and taken back to the manager for wrapping. Retail spirits and beers were available at other sites but would not be available at these premises. It was intended that there would be four tables

outside, each with two chairs. A 1.8m gap would be maintained. There would be a manager at the entrance who would supervise the outside area to ensure there was no disturbance. There were no immediate neighbours and the business would not sell alcohol to outside tables after 10pm. It was considered important to undertake deliveries between 6 and 9 pm although the applicant would consider a cut off time between 9pm and 10pm if 10pm was considered too late.

In response to questions the applicant reported that need was not a relevant licensing issue. The nature of the wines to be sold was unique and obtained from different wine regions and would not be able to be obtained elsewhere. The take out percentage was 15% of revenue in the Battersea premises with 20% delivery as percentage of retail sales. There was a reasonable use of the delivery service between 6pm and 8pm and Deliveroo used 60/70% of cycle use and 30% of moped use. After six months of using Deliveroo they may be able to specify use to cycles only. It was likely that there would be 65% alcohol sales and 35% food sales. 80/90% of customers would end up eating some food. The applicant encourages customers to eat and showed them the small plate menu. Providing snacks would often encourage customers to eat more. Walk in custom usually took place between 6-9 pm. Walk in demand after 9pm was low. The applicant stated that he would accept an off sales time restriction of 10pm. The applicant stated that he lived next door to the bar in Battersea and had never been contacted by residents. They had a good dispersal policy. It was noted that the minimum requirement distances for tables and chairs was 1.8m and the applicant stated they would conform to this.

In summary, the resident stated that this was in a saturation zone which had posters on display with the words 'are you thirsty' indicating that this was a drinks led premises. The abv strength of wine was higher than beer. A condition that alcohol could not be served without food would alleviate many concerns. Regarding the pavement area there were concerns that customers outside would be abusive and the pavement crowded. The resident was unsure how a space of 1.8m for tables and chairs would work in the small space and asked that, should the licence be granted, an early finish time of 9pm be conditioned. The scooters would be noisy and a condition to curtail the lateness of delivery orders would be welcome.

The applicant stated that 10% of customers who would not be eating were crucial to the business and having to dine with food would discourage some people attending. The applicant was happy to agree a 1.8m gap for the tables and chairs and invited the Sub-Committee to have a 10pm cut off delivery time. He stated that there would not be pre-booked events.

RESOLVED

- 1) That the application for a new premises licence, in respect of Humble Grape, 11-13 Theberton Street, N1 0QY be granted to allow:-
 - a) To allow the sale of alcohol, on and off sales, Sundays from 12:00 noon until 10pm, Mondays to Thursdays from 11am until 11pm and Fridays and Saturdays from 11am until midnight.
 - b) The provision of late night refreshment, Fridays and Saturdays from 11pm until midnight.
 - c) The premises to be open to the public, Sundays from 12 noon until 10.30pm, Mondays to Thursdays from 10am until 11.30pm and Fridays and Saturdays from 10am until half past midnight.

Conditions detailed on pages 162 and 163 be agreed with the following amendments:-

- Deletion of condition 1.
- Condition 4 – Deletion of ‘or to persons attending a pre-booked wine tasting event or a pre-booked function’.
- Condition 6 to be deleted.
- Condition 7 d to be deleted.
- Condition 8 to read. Alcohol sold for consumption off the premises will only be as follows:-
 - a. Up to 21:00, to persons seated at tables lawfully placed on the private forecourt on Theberton Street, for consumption by those persons seated at such tables.
 - b. Up to 23:00 hours, wines only (not spirits, beers or lagers) in sealed containers to persons to take away from the premises.
 - c. For delivery by the licence holder or their agent to an address in Great Britain. Delivery agents should not visit the premises after 21:30.

Additional condition. All tables and chairs be removed by 22:00 hours.

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 current national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall within the Angel and Upper Street cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The Sub-Committee noted that the hours sought were now within the hours specified in licensing policy 8 having been amended following consultation with the police.

The Sub-Committee noted that the residents had met with the applicant and had proposed changes to some of the conditions detailed in the report. The Sub-Committee heard evidence from a resident who represented the Theberton Street and Moon and Studd Street Residents' Associations. They raised concerns that the new business would be drinks led rather than a food led premises, which it had been previously, and they were opposed to off-sales in an area of cumulative impact. They were also opposed to tables and chairs outside the premises citing issues including loss of amenity and noise nuisance. They also raised concerns about the noise created from deliveries.

The Sub-Committee heard evidence from the applicant that the business was a unique concept where wines were imported from tiny vineyards from all over the world and food served at the premises would be ethically sourced. It would be a seated wine bar which would have waiter/waitress service. It was not a destination venue and the applicant was keen to secure the patronage of local residents and fit in with the neighbourhood. Customers would be encouraged to order food with drinks. He stated that there would be a manager or trained staff member at the front door who would be responsible for seating customers inside and would also manage the outside area to prevent nuisance from the use of the tables and chairs. The applicant stated that the delivery service was a significant part of the business turnover and it was provided for by bicycles 60/70% of the time.

The Sub-Committee noted the applicants' commitment to engage with residents and also noted that the applicant had a successful similar operation in south London in a residential neighbourhood in Battersea.

The Sub-Committee concluded that granting the application, within the core hours and with the proposed conditions, would not adversely impact on the cumulative area or otherwise impact adversely on the promotion of the licensing objectives.

When making their decision the Sub-Committee also considered licensing policy 8 regarding licensing hours, licensing policy 20 regarding outside areas, licensing policy 9 and 10 regarding standards of management and licensing policy 18 in relation to noise.

The Sub-Committee noted the applicants' commitment to engage with residents and also noted that the applicant had a successful similar operation in south London in a residential neighbourhood in Battersea.

The Sub-Committee concluded that granting the application, within the core hours and with the proposed conditions, would not adversely impact on the cumulative area or otherwise impact adversely on the promotion of the licensing objectives.

When making their decision the Sub-Committee also considered licensing policy 8 regarding licensing hours, licensing policy 20 regarding outside areas, licensing policy 9 and 10 regarding standards of management and licensing policy 18 in relation to noise.

172

SOURCED MARKET, 7-12 GOSWELL ROAD, EC1M 7AH - NEW PREMISES LICENCE (Item B3)

It was noted that this item had been adjourned from the meeting on the 22 May in order that planning issues be further considered. One interested party had discussed the application with the applicant and had withdrawn their representation. The Sub-Committee noted that the opening hours would be from 7am to 10pm. In respect of the planning consent, planning officers considered that the proposed use would be ancillary to the hotel use. If the situation changed there would need to be a planning application.

The applicant stated that this was a small premises which was a specialist delicatessen/bakery/café that was seeking to sell alcohol. In other branches, alcohol accounted for 10% of sales and 80% was consumed on the premises. There were likely to be a maximum of 45 customers on the premises.

RESOLVED

- 1) That the application for a new premises licence, in respect of Sourced Market, Ground Floor, 7-12 Goswell Road, EC1M 7AH, be granted to allow:-
 - a) To allow the supply of alcohol on the premises from 11am until 10pm from Monday to Sunday.
 - b) Opening hours to be 7am until 10pm Monday to Sunday.
- 2) That conditions detailed on page 196 of the agenda be applied to the licence.

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 current national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall within the Bunhill cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

Four local resident objections had been received. There had been no representations made by the responsible authorities.

The Sub-Committee considered licensing policy 8 and noted that the hours sought had been reduced following discussions with interested parties including a resident who was present at the previous meeting, who had now withdrawn their representation on this basis.

The Sub-Committee heard evidence from the applicant regarding the nature of the operation and noted that it was not alcohol led. The Sub-Committee also noted the limited number of covers provided.

The Sub-Committee concluded that granting the application, within the core hours and with the proposed conditions, would not adversely impact on the cumulative area or otherwise impact adversely on the promotion of the licensing objectives.

When making their decision the Sub-Committee also considered licensing policy 9 and 10 regarding standards of management.

173

TRANSPORT, 70-74 CITY ROAD, EC1V 2BJ - PREMISES LICENCE VARIATION (Item B4)

The Sub-Committee noted that this was a variation application to reduce the hours and to amend the plan. Conditions were tabled which had been agreed by the applicant and would be interleaved with the agenda papers. There was to be a seated restaurant on the ground floor.

The noise officer reported that the premises would be an improvement and she'd had good communication with the acoustic consultant who had taken on board all advice given.

The interested party reported that he lived 100m away from the premises. He had met with the applicant who had accepted all but 1 of his proposed conditions. He raised concerns about the 'counter area' indicated on the proposed plan which he considered could be an issue in the future.

It was noted that a variation could allow for a change in curtilage, although there was no provision for off sales and this would require a new variation application. The applicant's representative agreed that the counter area could be excluded from the plan and undertook to submit a revised plan within seven days.

The applicant's representative reported that a reduction in hours to 2am would reduce the cumulative impact and the business plan would turn an alcohol led premises into a food led business. The footprint of the licensed area would be reduced to 280sqm and there would be a reduction in capacity to 350 persons. Disabled access would be improved. Two lobbies had been installed to prevent noise escape. Noise levels had been calibrated to ensure there was no noise at the nearest residential premises. There was a new dispersal policy with a good operator. The responsible authorities had not objected and comments made by residents had been taken on board and turned into conditions.

In response to questions it was noted that music had been tested in the nearest residential premises on a Wednesday evening. Different tracks had been played and noise levels adjusted as necessary. Once the business was open this would be repeated. A phone number would be made available to residents. The noise officer advised that a limiter would be installed and certificates issued. It was advisable to check noise levels on a regular basis. The noise team would respond if there were issues.

In summary the applicant's representative stated that he considered that all issues had been resolved with residents.

RESOLVED

- 1) That the application for a new premises licence, in respect of Transport, 70-74 City Road, EC1V 2BJ, be granted to allow:-
 - a) To change the plan attached to the premises licence
 - b) To reduce the hours for the provision of regulated entertainment including live music, recorded music and performance of dance: 10 to midnight, Sunday to Wednesday, 10 to 1am Thursday and 10 to 2am Friday and Saturday.
 - c) To reduce the hours for the sale of alcohol for consumption on the premises 10:00 to midnight, Sunday to Wednesday, 10:00 am to 1am Thursday and 10 am to 2am Friday to Saturday.
 - d) To reduce the hours for the provision of late night refreshment 11pm to midnight Sunday to Wednesday, 11pm to 1am Thursday and 11pm to 2am Friday and Saturday.
 - e) To reduce the opening hours of the premises from 10am to half past midnight Sunday to Wednesday, 10am to 1.30am on Thursday and 10am to 2:30 am Friday and Saturday.
 - f) Annex 2 Condition 13 to be amended (details at Annex 4 of the report).
- 2) That the conditions detailed below shall be applied to the licence.

Amendments/Deletions to existing conditions

1. Amended ground floor plan to exclude noise lobbies from licensed area within red-line (see attached). (Basement Plan to remain as proposed in original variation application).
2. Delete condition 8 of Annex 2 (Notices) – duplication of condition 17
3. Delete condition 10 of Annex 2 (under 18's to be accompanied by adults at all times) – conflicts with concept of food-led community venue and is unnecessary
4. Delete condition 12 of Annex 2 (Technical Standards for Places of Entertainment) – reflects old licensing regime.
5. Amend condition 13 of Annex 2 to read: "The maximum number of persons accommodated at any one time in the premises shall not exceed 350 customers with a maximum capacity for each floor as follows: Ground Floor – 200. Basement 200". (i.e. as originally proposed in application)

Additional conditions proposed by resident and accepted by applicant

6. Any music or other sound played within the licensed premises should not be audible at any residential receptors in City Road, Mallow St or Featherstone Street.
7. The premises shall operate in accordance with a written dispersal policy which includes the following measures:
 - a. The ground floor area will be closed and patrons will be asked to leave approximately 30 minutes prior to the basement area.
 - b. Music noise levels will be reduced gradually over the final 30 minute period for each area.
 - c. All patrons leaving the venue will be encouraged to do so in a quiet manner.
 - d. At closure time the premises will be managed to ensure a gradual dispersal of customers.
8. From 6pm on Thursday, Friday and Saturday a senior member of management will stand outside the premises until 02.30hrs with a doorman on both exits and an extra member of security.
9. One staff member will be positioned at the corner of Featherstone Street and City Road and the other at the City Road entrance. Security will patrol the area around Featherstone Street and Mallow Street to ensure that customers walking near to residential premises do not create a disturbance.

The following additional condition:-

- That a revised plan be submitted within seven days to exclude the 'to go counter' area.

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 current national guidance and the Council's Licensing Policy.

Four local resident objections had been received. There had been no representations made by the responsible authorities.

The Sub-Committee heard evidence that the variation application was to reduce the existing hours as the nature of the business had changed and would now be food led rather than alcohol led. Additional conditions were proposed by the resident which had been accepted by the applicant.

The Sub-Committee heard evidence from the resident who raised an issue regarding the plan and specifically an area marked 'to go counter' which he considered could be used in the future. The applicant noted the concerns raised by the resident and agreed to re-serve the plan with this area removed, within seven days.

The Sub-Committee concluded that granting the application with the additional conditions, would not adversely impact on the cumulative area or otherwise impact adversely on the promotion of the licensing objectives.

Licensing Sub Committee A - 1 June 2017

When making their decision the Sub-Committee also considered licensing policy 9 and 10 regarding standards of management, licensing policy 18 in relation to noise and licensing policy 21 in relation to dispersal.

The meeting ended at 9.05 pm

CHAIR

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Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	1 August 2017		St Peters

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Re Crepe Affair, 47 – 53 Camden Passage, London, N1 8EA

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
 - The supply of alcohol on and off on Monday to Sunday from 08:00 until 20:00.

2. Relevant Representations

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

London Fire Brigade	No
Local residents	Yes:
Other bodies	No:

3. Background

3.1 Papers are attached as follows:-

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

3.2 This application has received seven representations from local residents and one representation from the Police Licensing Team. The Police representations has now been withdrawn subject to additional conditions being agreed.

3.3 The applicant has submitted a response to the residential representation which has been forward to the persons making representations. This letter is attached as Appendix

4. Planning Implications

4.1 The application is for a premises licence to serve alcohol at a crepe restaurant. Planning permission was granted for such as use on 31 January 2017, under ref. P2016.4812.FUL, and the hours stated on the application form conform to those under the relevant planning condition. As such, the planning department has no objections.

5 Recommendations

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

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

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

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

6 Conclusion and reasons for recommendations

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

Background papers:

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

Final Report Clearance**Signed by**

Service Director – Public Protection

Date 20/07/17

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Crepeaffaire Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Crepeaffaire 51-53 Camden Passage Islington			
Post town	London	Postcode	N1 8EA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£65,000.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

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

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name Crepeaffaire Limited
Address 249 Cranbrook Road Ilford Essex IG1 4TG
Registered number (where applicable) 05039035
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	4	062017

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Crepe restaurant

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☐



A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
			State any seasonal variations for performing plays (please read guidance note 5)			
Wed						
Thur						
			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 6)			
Fri						
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Wed						
Thur						
			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 6)			
Fri						
Sat						
Sun						

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)		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 5)		
Mon	08:00	20:00			
Tue	08:00	20:00			
Wed	08:00	20:00			
Thur	08:00	20:00	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 6)		
Fri	08:00	20:00			
Sat	08:00	20:00			
Sun	08:00	20:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Daniel Spinath	
Date of birth 16 October 1964	
Address Flat 26 15 Enfield Road London	
Postcode	N1 5EN
Personal licence number (if known) LBH-PER-N-0688	
Issuing licensing authority (if known) London Borough of Hackney	

□□□□

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<u>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</u> (please read guidance note 6)
Mon	08:00	20:00	
Tue	08:00	20:00	
Wed	08:00	20:00	
Thur	08:00	20:00	
Fri	08:00	20:00	
Sat	08:00	20:00	
Sun	08:00	20:00	

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

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

Please see attached sheet.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

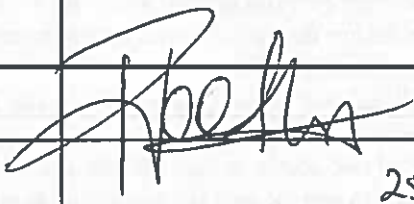
- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☐ [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

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.

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.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> [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)
Signature	
Date	25/5/17
Capacity	Solicitors for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Freeths LLP One Colton Square			
Post town	Leicester	Postcode	LE1 1QH
Telephone number (if any)	0116 248 1100		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

- 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.
- 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a

licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full birth or adoption** certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

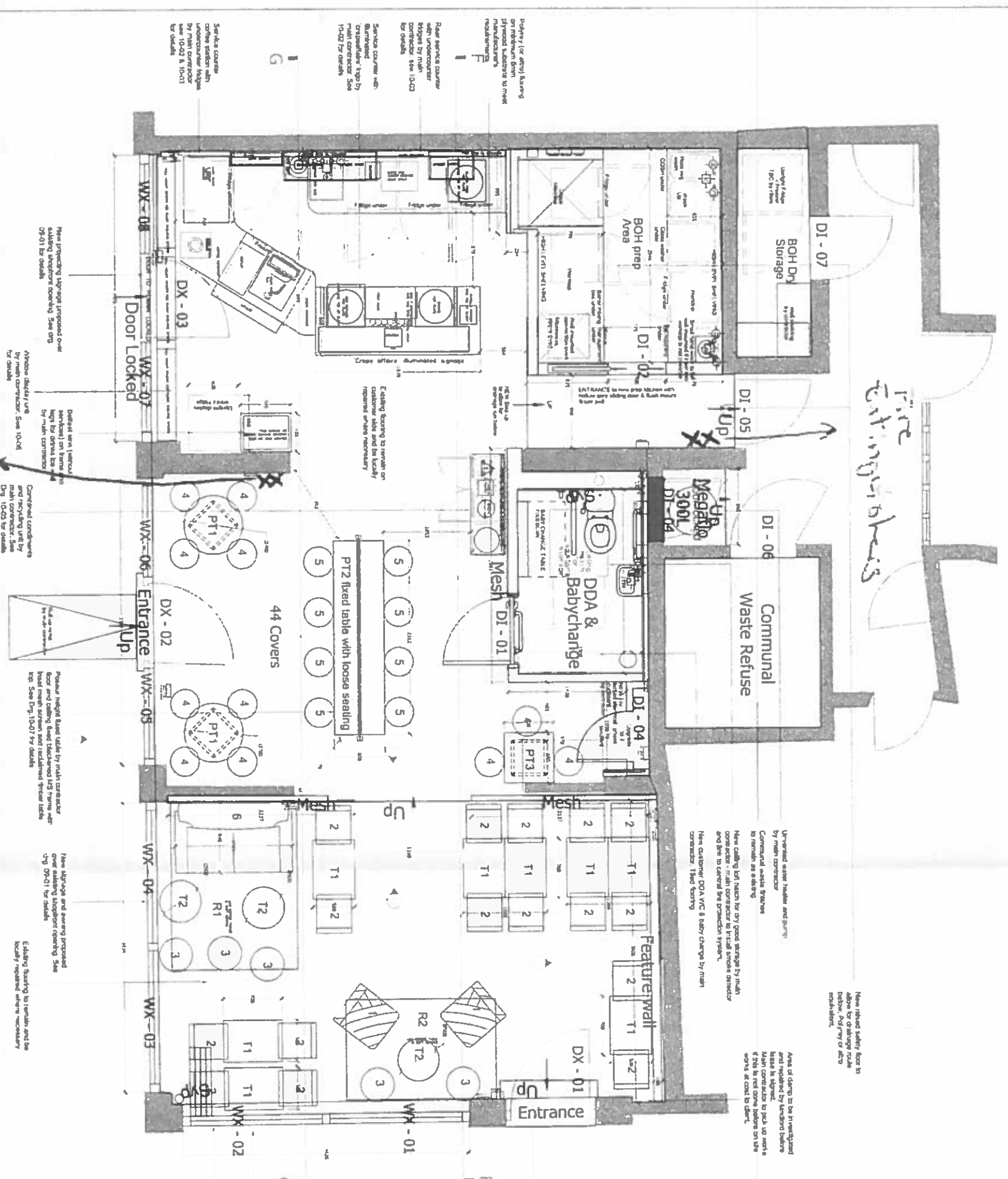
Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Crepeaffaire, 51-53 Camden Passage, Islington, London, N1 8EA

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

1. Documented staff training will be given regarding the retail sale of alcohol and the prevention of underage sales.
2. The premises will operate a Challenge 25 scheme and the only acceptable proof of age identification shall be a current Passport, photocard Driving Licence or identification carrying a PASS logo.
3. A CCTV system shall be installed, maintained and operated at the premises. The CCTV cameras and recording equipment must be of sufficient quality to work in normal lighting levels inside the premises at all times. CCTV footage will be stored for a minimum of 28 days and provided to the Police on request.

Fire
Exit
signs



General Arrangement

GENERAL NOTES

1. ALL PROPOSED AREAS TO BE CONFORM TO THE LATEST CURRENT BUILDING REGULATIONS IN THE UNITED KINGDOM. IN ALL CASES, THE LATEST ADVICE FROM THE BUILDING REGULATIONS AUTHORITY SHALL BE FOLLOWED.
2. CONTRACTOR MUST VERIFY ALL SITE DIMENSIONS, LEVELS, DETAILS AND SPECIFICATIONS AND REPORT ANY DISCREPANCIES TO DESIGNER PRIOR TO COMMENCEMENT OF WORK.
3. ALL REQUESTED CHANGES, SPECIFIC NOTES AND CONSTRUCTION DETAILS ARE REQUIRED TO BE APPROVED BY DESIGNER PRIOR TO COMMENCEMENT OF WORK.
4. ALL SPECIFIED ITEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
5. CONTRACTOR TO PROVIDE A DETAILED PROGRAMME OF WORK, INCLUDING DATES FOR THE COMPLETION OF ALL WORK, TO THE DESIGNER FOR APPROVAL.
6. ALL WORK IS TO BE COMPLETED TO A HIGH STANDARD.
7. ALL DIMENSIONS ARE TO BE TAKEN FROM THE SETTING OUT PLAN UNLESS OTHERWISE SPECIFIED.
8. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE NECESSARY APPROVALS FOR ALL WORK.
9. THE CONTRACTOR IS TO OBTAIN AND MAINTAIN ALL NECESSARY PERMITS AND CONSTRUCTION DETAILS AND REPORT ANY DISCREPANCIES TO THE DESIGNER FOR APPROVAL.
10. IN THE EVENT THAT THE DESIGNER'S INSTRUCTIONS ARE NOT FOLLOWED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE BUILDING OR TO THE DESIGNER'S REPUTATION.
11. THE CONTRACTOR IS TO BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND STRUCTURES.
12. THE CONTRACTOR IS TO BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND STRUCTURES.
13. THE CONTRACTOR IS TO BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND STRUCTURES.

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FREETHS

For the attention of Niall Forde
Licensing Officer
Licensing - Public Protection
Islington Council
222 Upper Street
London
N1 1RX

Direct dial: +44 (0)845 272 5723
Direct fax: +44 (0)845 634 2596
Switchboard: +44 (0)116 248 1100
Email: lisa.gilligan@freeths.co.uk

11 July 2017

Our Ref: LG/1274/2120920/3/KH

By Email only

Dear Sir

LICENSING – CREPEAFFAIRE, ISLINGTON

Further to our recent correspondence we can confirm that Daniel Spinath (Founder and Managing Director) will be appearing on behalf of Crepeaffaire at the hearing currently listed for 1 August 2017 at 18:30.

We are in receipt of the representations which have been received from Interested Parties to the application and our client notes the concerns raised of the local residents.

During the consultation period we were able to reach an agreement with Islington Police Licensing Officer (PC Steven Harrington). As the Interested Parties will not be aware of the agreed conditions, we should be grateful if this letter together with the enclosed conditions could be circulated to the Licensing Committee and Interested Parties ahead of the hearing.

We hope that the conditions agreed with the Police will allay the majority of the concerns raised and in particular we would highlight the following:

1. Off Licence

Save for sales to customers seating in the small external seating area at the premises sales of alcohol can only be supplied as off sales if **ancillary to a take-away meal and must be in sealed containers**. There is a very small external seating area and save for utilisation of this area the requirement for off-sales is purely to allow operational flexibility in the event that a customer may wish to purchase alcohol with their take-away meal. We stress that off-sales do not form part of the cafe offering.

2. Vertical Drinking

This will not be allowed at the premises save for a maximum of 8 persons waiting to be seated for a meal. We would also highlight the fact as is shown on the plan submitted in support of the application the majority of the premises are fully laid out with tables and chairs.

3. CIZ

Turning to the issue of the CIZ the terminal hour applied for is 8 pm, therefore these premises will not be operating late at night. We note from the Council's policy that there is concern over the proliferation of late night venues and retailers and the cumulative impact this is having on the promotion of the licensing objectives. The applicant is confident that the conditions included within the application, together with those agreed with the Police and the reduced terminal hour will ensure that there is no addition to the cumulative impact of late night premises operating in the area.

4. Table Meals

All sales of alcohol are restricted to customers taking a table meal. There is genuinely no intention for the premises to turn into a bar and the agreed conditions and a very limited alcohol range reflect the style of the Crepeaffaire operation.

Yours faithfully

*This document is "unsigned" as it is electronically forwarded.
If you require a signed copy then please contact the sender.*

Freeths LLP
Please respond by e-mail where possible

Rep 1

Dear Sir/Madam,

I wish to object to this application for an new premises licence for the following reasons:

1. In Licensing Policy 2 - this special policy will create a rebuttable presumption that applications or new premises licenses that are likely to add to the existing cumulative impact will normally be refused. The applicant has not demonstrated why the operation of the premises involved will not add to the cumulative impact.
2. The applicant is applying for a license to sell alcohol from 8.00 a.m. to 20.00 p.m. Monday to Sunday on and off the premises. No other establishment in Camden Passage has such a license where one can buy and drink all day long.
3. There is no reference to selling alcohol on the premises with food only so this could become an off license selling cheap high strength alcohol.
4. Vertical drinking would be encouraged on the premises and off in Camden Passage which is a narrow pedestrianised street with stalls on market days. There are benches outside the premises (not sure if the applicant has a license for this) which can be used for drinking alcohol.
5. Selling crepes is not a substantial food so alcohol would be easily absorbed.
6. Pistachio & Pickle in Camden Passage can only sell alcohol with food or off sale with cheese platters.
7. Appestat has its application for a premises license refused and Coffee Works withdrew theirs.
8. Islington has double the national average of licenses premises per resident and this means a huge burden is placed on our local police, the disproportionate costs of which are borne by the residents and non-licensed business. I would guess that the greater percentage of those patronising the licensed premises in the Angel are not Islington rate payers or residents. They therefore bear no element of the cost, nor suffer the noise, vandalism and ASB. There has to be a compelling reason to grant a new license, the burden of proof showing that such a license will not add to the cumulative impact has to be with the applicant. I do not consider that this applicant has done this.

Regards,

Noel Road

Rep 2

Dear Sir

Reference: WK/170015804

I understand you have received an application from Crepeaffaire to sell alcohol 'on' and 'off' the premises every day between 08:00 and 20:00.

I live in Charlton Place, which leads directly off Camden Passage. I objected to the very recent retrospective planning application on the basis that these premises would fall outside the Council's policy of 2 non-food units for every food unit. The application leant heavily on the basis that it was a cafe serving crepes and coffee, but permission was granted. We are now having to face up to a fully licensed premises, with sales 'on' and 'off' the premises, if this is permitted. Alcohol is already served in many of the premises in Camden Passage, and Crepeaffaire is very large, comprising three units linked together. The concentration of sale of alcohol would be excessive, if granted permission. In any event, if permission is granted, it should be limited to 'on sales' only, in order to protect the local residents.

Yours faithfully

Charlton Place

Rep 3

I object to this application.

Crepe Affair is situated on the corner of a narrow pedestrian section of Camden Passage and Camden Walk . It is opposite the flats forming part of the Colinsdale estate. Camden Passage itself is mostly residential above ground level.

The property has benches outside in Camden Passage and tables outside in Camden Walk. I have not been able to find out if they have a street licence for these.

The property is with the Angel cumulative impact and saturation area. The section of this area between the Camden Head and The York there are 11 licenced premises inclusive of the two pubs and there is Tesco with a full off licence at the north end of the passage.

The reasons for my objection are as follows:

- 1- The applicant has taken no account of Islington's Licensing Policy in the application and has applied for a full on and off licence. There is nothing to show how such a licence will not add to the cumulative impact and there has been no attempt to do this. This is not a good attitude.
- 2-The licence if granted will allow vertical drinking, drinking without food and will allow the drinkers to occupy the outside tables where they will both drink and smoke.
- 3-It is likely that drinkers will spill out onto the street on fine days blocking Camden Passage, where there are often stalls, and increasing noise levels.
- 4-The application makes no reference to table service and therefore the presumption is that the coffee counter will also serve as a bar adding to the noise and potential increase in noise and consumption,
- 5-There is no limit on the number of customers,
- 6 There is no limit on the alcohol to be sold so they could have "happy hours" or unlimited prosecco with breakfast/brunch
- 7-The full off licence requested means that strong cheap alcohol could be sold for takeaway. This is particularly relevant given the questionable planning status which is A1 but with sui generis consent for a creperie,
- 8-Given the planning history they could, having got the licence, sell the premises as a full off licence.
- 9- The owners did not fully investigate the planning when they acquired the premise or research Islington's preferred policy for the shops in Camden Passage and had to apply for a late consent. In that application the applicant made much of the fact that they did not have a kitchen and merely brought in ready prepared crepes and reheated them. They cannot therefore be said to be serving substantial meals and indeed do not have the planning consent so to do. Any food consumed will therefore be ancillary to the alcohol.

In short they are applying for a licence to cover all options they want a full bar and off licence serving from breakfast for 12 hours every day. This will only serve to increase the noise and ASB in the area

and enable punters buy drink for consumption before going onto other venues. The cost of this is tremendous both in financial and health terms and it distracts the police from carrying out other duties.

The application should be refused

Duncan Terrace

Rep 4

Dear Sir,

I am writing to object to the granting of a new premises licence to Crepe affaire Ltd, 51-53 Camden Passage, London N1 8EA.

My objections echo those put forward by Dohne Arnold in her email to you of 6th June 2017 so I will not recite them all over again.

The prospect of another alcohol outlet is so dispiriting. Camden Passage is drowning in a sea of alcohol while traditional shops and established antique dealers are going to the wall.

Please see attached copy of an email dated 24th June 2017 to Cllr. Klute and others.

The **Saturation Zone Policy** has lost all meaning.

Regards,

(Camden Passage Association member)

Rep 5

I write with regard to Crêpe Affair's licence application to sell alcohol on and off the premises 8am-8pm.

Public Nuisance

The premises are in a residential area where there is currently a licensed public house fulfilling the remit of selling alcohol – and there is also a substantial off licence service at the nearby Tesco store. The noise from the adjacent public house as a result of drinkers is already a nuisance and to add to this noise intrusion by licensing another premises in close proximity is a serious nuisance to residents and their right to quiet enjoyment of their homes.

Crime and Disorder

The area of Camden Passage has seen a rise in anti-social behaviour, drug selling and general crime, including some violent crime, in recent years. It is also a popular area for buskers and beggars and licensing a premises for on and off sales is likely to fuel more anti-social behaviour and noise to residents who live directly above Crepe Affair or opposite the premises.

Protection of children from harm

The premises is currently used by a mixed clientele, including infants and children – and schoolchildren also frequent the area of Camden Passage on their way home from school. Whereas the area of the adjacent pub is clearly defined, Crepe Affair promotes itself as a healthy eating establishment, which is currently family friendly. Licensing the premises sends a mixed message about alcohol use – and there is no reason why any sandwich bar or fast food catering outlet should

be licensed from 8am. There is a risk that licensing such a premises – which started off as a sandwich bar and has gradually pushed the boundaries of its operation – might act as a gateway to alcohol use for minors using Camden Passage and mollify the risks of alcohol, given the current healthy eating promotion of the premises; as well as encouraging others to purchase alcohol throughout the day, adding to the risk of anti-social behaviour, noise and littering.

Public safety

In my opinion, there are currently issues with the operation of this premises, given that it shares common parts with other commercial as well as residential tenants. Since the business opened, the common parts of the building have deteriorated and are not kept clean, including floors which remain not cleaned at the end of each trading day. The staff do not appear to think that any mess from the premises on the common parts is their responsibility to clear away, including liquid spills on the fire escapes. Food and spilled drinks are being left for days at a time on floors of the common areas (including a trail of coffee grains leading from the premises to the fire door over which other tenants had to pass and which was left for more than a week). Filthy boot marks are left on floors in the common parts around the premises and leading to and from the premises.

Fresh food is stored in a basement plant room where sewage pipes run and large quantities of paper hand towels and lavatory rolls are now being stored in the electricity room where the electricity supplies and meters are, which appears to be an obvious fire hazard which I have reported to the managing agent.

The exterior of the premises is frequently left dirty, with tables left not cleared, food left out (even in the heat) on tables when customers leave and bird excrement on benches which the public and staff use outside the premises. This has led to increased pigeon activity on the flat roof and gutters of the block, including round residential properties above the premises. I witnessed a member of staff leave the premises to take a break who sat on a bench which had pigeon droppings on it and was also surrounded by the detritus and food left by customers on the tables, but still took a break rather than clear the tables or wipe the benches first. Staff should not be sitting on benches covered in bird excrement and then returning to work in the premises, apparently oblivious to the health risks.

After the premises' last licensing application I received a letter from Islington Council, which states the council is not concerned that the premises is using the fire escapes as part of its operation – which includes storing cardboard boxes and bags of refuse on or next to the fire escapes and adjacent to the basement electricity room (now half-full of paper towels and lavatory rolls), as well as bags of flour, fresh produce, soft drinks and furniture on the fire escapes.

I attach images of the fire escapes with these items on them – including the electricity room.

If the staff of Crêpe Affair are currently unable to keep the premises in a safe and clean condition, I suggest that the addition of alcohol to the licence is only going to exacerbate the issues – there is limited storage on the premises and the fact that lavatory rolls and hand towels are now being stored in the electricity room and refuse is blocking fire escapes demonstrates this.

Fire doors are also left open by commercial staff – and one fire door in the basement is wedged open with a piece of card. The landlord has also locked fire doors on the upper floor of the block where the residential property is sited, so that emergency services cannot enter the upper fire terrace directly, only through residents' bedrooms, which may not be accessible from the main

residential hallway in the event of a fire. I have asked for a key to one of the doors leading to the upper fire terrace so that I can grant access to emergency services, but have yet to receive this.

I would also add that some years ago, Barclays Bank in the block was allowed by the landlord to clad its façade and I have asked the current managing agents to investigate the materials used for the cladding, in light of the Grenfell Tower fire and await an answer.

However, the presence of stores of alcohol on the premises further adds to fire hazards in this building, as well as potentially adding to the poor state of cleaning and lack of storage. This is a risk not only to residential tenants of the building, but also to the public who use this building to visit commercial premises such as the bank and retail premises – especially as the area outside Barclays Bank where the façade has been clad is now used by smokers 27/4, including the bank’s staff and customers.

There are also other premises in very close proximity to the block and any fire would potentially spread very quickly.

There are also frequent faults on the fire alarm inside this building – last year, the alarm’s error alarm started to bleep over the Easter holiday and was left bleeping for more than a month, even though I reported the alarm error to the managing agent when it occurred. However, there is no on site manager, housekeeper or concierge – and much of the reporting falls to me, as most of the properties are now rented rather than owner-occupied and the population of the building tends to be transient to an extent. When the fire alarms do ring, it is not unusual for residential tenants – especially those who are new to the building – to be unaware of fire safety procedures and the need to evacuate the building and await the fire brigade.

In my opinion, the situation appears already potentially dangerous without adding alcohol supplies on the premises to the mix – and where these might be stored, I have no idea given the limited space available.

I do not wish to feel I have further responsibility for monitoring what goes on in this building to ensure that I and my neighbours remain safe – and it seems clear that staff at Crêpe Affair are not addressing even the basics of hygiene and health and safety regarding the common parts of the building.

For the reasons given above, I oppose the licence application.

Please withhold my name and address, as previous attempts I have made to speak to staff about some of the issues – including fruit flies on the common parts where fresh food is stored – have been met with negativity.

Upper Street

Rep 6

I write to object to this application for a new Premise Licence on behalf of the Angel Association.

The application is for a licence to sell alcohol both on and off the premises, a crepe “restaurant” covering three units of Camden Passage, between the hours of 8am and 8pm, 7 days a week. The premises is in the Angel and Upper Street Cumulative Impact area, which the Council believes has reached saturation levels, and in which any further expansion should not adversely affect the quality of life for residents. The application contains very little detail, and does not, in our view, go any way

to demonstrate why the operation of the premises would not add to the cumulative impact or otherwise adversely impact the promotion of the licencing objectives, which it surely must do.

The Camden Passage highway is narrow and already narrowed further by the use of tables outside various premises (including this one). The premises is in a residential area and actually opposite a block of flats. It is simply an inappropriate location and premises for a 12 hour, 7 day a week, licence – which hours seem totally unnecessary for what is effectively a coffee shop selling crepes, waffles, ice cream and breakfast. Its proximity to the Camden Head could result in a filling up of that end of Camden Passage with vertical drinkers, blocking the highway and having a detrimental impact on residents' quality of life.

There is no detail provided about the alcohol off sales, no restrictions in that regard, no provision that alcohol will only be served as ancillary to food and no prohibition on vertical drinking or details of how it might be managed. No serious attempt has been made to take account of the type of premises, it's location, or the Council's licencing policy.

Coombs Street

To: Islington Council
Licensing Department

28-06-2017.

Subject: Crepeaffaire, 51-53 Camden Passage, London N1 8EA

In my letter to Islington Council's Planning Department dated 12/01/17 (copy of letter attached), I had no objection to Crepeaffaire's retrospective Application for change of use from retail to restaurant but expressed reservations about the increase in food and drink outlets in Camden Passage and stated that I would object to any further Application for an alcohol License.

I therefore wish to register an objection to the present Application on the grounds that Camden Passage is already saturated with food and drink outlets with accompanying Alcohol Licenses and that the granting of a License to Crepeaffaire would have an appreciable cumulative impact on the area, to the detriment of the existing small specialist shops and local residents such as myself.

We already have a cheese shop with an Alcohol Licence (Pistachio and Pickle), and a grocery shop with an Alcohol License, (Le CoqEpicier), We also had a hairdessers with an alcohol License (The Blow Bar), since defunct. And now we have the prospect of a pancake shop with an Alcohol License.

These outlets are, of course, in addition to the other Licensed Premises - The York and Camden Head pubs, the bar/restaurant The Elk In The Woods, The Breakfast Club, Fredericks, Chipotle, Kipferl, the Japanese cafe Katsute. All these premises are crammed into a very small area.

There is, however, a precedent for the refusal of a License in the form of Appestat, and it is hoped that the Licensing Committee will follow this example.

The reason for the constant stream of requests for Alcohol Licenses is not hard to understand; it is economic. As if by magic, a £5 bottle of wine in a supermarket becomes a £15 bottle of house wine. A minimum of work involved - just store and pour. And the goose which lays this golden egg is the Licensing Committee.

It would not be appropriate for the Creperie to have the completely unrestricted On and Off License, which, it appears, to have been applied for.

There is a further point that the Crepeaffaire is on the corner facing the Camden Head pub whose outside area is usually crammed with noisy drinkers. Any further impact from drinkers in this narrow area is undesirable.

For the reasons outlined above I consider that the Application should be refused, allowing the Creperie to continue doing what it already does very well -ie the serving of food and drink without alcohol.

To: "Tobias Planning"
planning@islington.gov.uk

41 Camden Passage
London N1 8EA

12 January 2017

Subject: CREPEAFFAIRE 51-53 Camden Passage, Islington N1 8EA
Application P2016/4812/FUL

Dear Planning Officer

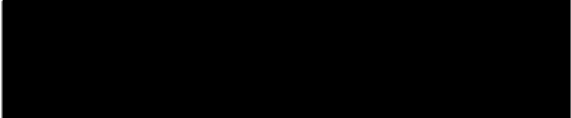
In its present form this is effectively for change of use from retail to full restaurant use.

Despite having some reservations about the further extension of food and drink outlets into the specialised shopping/antique area of Camden Passage, Crepeaffaire is already an established fact and I have no objection to the application in its present form.

I would, however, object if there was an intention to apply for a license to serve alcohol on the grounds that the Camden Passage area is already saturated with such outlets, but understand that this is a matter for the Licensing Sub-Committee.

It might be appropriate to ascertain the Applicant's intentions in this regard.

Yours sincerely

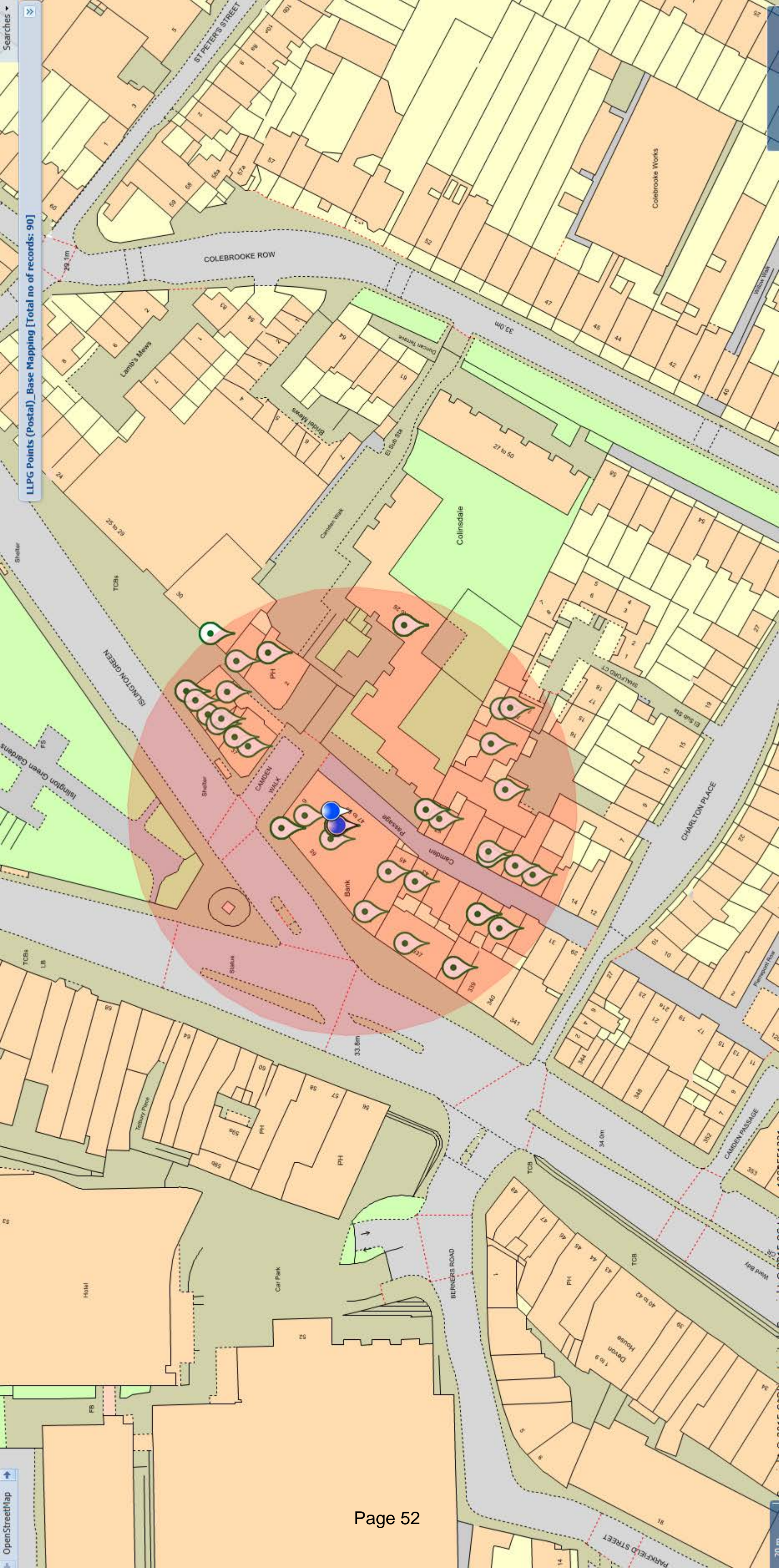


Suggested conditions of approval consistent with the operating schedule

1. Documented staff training will be given regarding the retail sale of alcohol and the prevention of underage sales.
2. The premises will operate a Challenge 25 scheme and the only acceptable proof of age identification shall be a current Passport, photo-card Driving Licence or identification carrying a PASS logo.

Conditions proposed by the Metropolitan Police

3. 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:
4. The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request; One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering; The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public; the system shall record in real time and recordings will be date and time stamped; recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to Police or authorised Council officers on request (subject to the Data Protection Act 1998) within 24 hours of any request; and at all times, there will be a person on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request and to supply a copy of footage immediately to Police to assist with the immediate investigation of an offence.
5. Documented staff training will be given regarding the retail sale of alcohol and the prevention of underage sales.
6. The premises will operate a Challenge 25 scheme and the only acceptable proof of age identification shall be a current Passport, photo-card Driving Licence or identification carrying a PASS logo.
7. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal. Save for customers using the external seating area all off sales shall be in sealed containers only.
8. There shall be no vertical drinking in the venue save for a maximum of 8 persons waiting to be seated for a full table meal.
9. The supply of alcohol at the premises shall be to a person seated and taking a table meal there and for consumption by such a person as ancillary to their meal.





Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	1 st August 2017		Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Yum Yum, 379 St John Street, London, EC1V 4LD.

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is seeking to allow:
 - The provision of late night refreshment, Tuesdays to Sundays, from 23:00 until 03:00, and Mondays, from 23:00 until 00:00;
 - The applicant has stated that the premises will close at 23:00 to customers and the extended hours are for deliveries only; however, elsewhere in the application, the applicant has proposed that the premises will be closed to the public from 00:00 Mondays to Fridays and from 01:00 on Saturdays and Sundays.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	No
Health and Safety	No

Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 3 local residents.
Other bodies	Yes: local property management company

3. **Background**

3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: applicant's response to representations;
- Appendix 4: Licensing Service visit note and warning letter;
- Appendix 5: suggested conditions and map of premises location.

3.2 The Licensing Sub Committee granted a licence to a former operator on 6 November 2012 to allow Late Night Refreshment until 23:30, Mondays to Sundays. This licence was subsequently surrendered on 16 December 2013; the then licence holder stated that they had never used the licence.

3.3 The current applicant has stated that they have operated to the same times as proposed in the application within the area of Westminster City Council for 7 years. The Licensing Service have contacted Westminster City Council who have confirmed that they have no record of a licence for the premises identified by the applicant.

3.4 The provision of Late Night Refreshment is defined within Schedule 2 of the Licensing Act 2003 and the definition includes the supply of hot food or hot drink to members of the public, whether for consumption on or off the premises, between the hours of 11pm and 5:00am.

3.5 Representations have been received to this application from the Metropolitan Police, three local residents and a local property management company representing 8 local properties. The Licensing Authority has also made representation.

3.6 The applicant has submitted a response to the representations.

3.7 Licensing Officers monitored activity at the premises on 7 July 2017 and found that the premises being used for the provision of late night refreshment. The operator was sent a warning letter on 10 July 2017.

4. **Planning Implications**

3.1 Planning have reported:

"The application is for a premises licence to extend the hours of operation at a Chinese takeaway, which is operating under an A5 use class. Historical records confirm that a Chinese takeaway has existed at the premise for a number of years and, on the balance of probability, it is now a lawful use. There are no enforcement investigations concerning the land. As such, the planning department has no objections to the application."

5 Recommendations

- 5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 5.2 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 5)
 - ii. any 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 as appropriate to promote the licensing objectives.

Background papers:

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

Final Report Clearance

Signed by



Service Director – Public Protection

Date 19 July 2017

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Zekair Herar

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 379 St John Street			
Post town	London	Postcode	EC1V 4LD
Telephone number at premises (if any)			
Non-domestic rateable value of premises			

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

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

NOTION COUNCIL LICENSING	
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4SE/000194	
Page 56	
Carol	

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	9	06
2	0	17

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

DD	MM	YYYY
1	1	1
1	1	1

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

I run a Chinese take away, delivery operation.

I took over this shop in July 2016 having been advised by my solicitors there was a licence in place until 03:00. I've been operating it until 02:00 since that date with no issues or complaints. Since making this application I have been closing at 23:00

I will be closing the shop at 23:00 to customers. However I would like to apply for extended hours until 03:00 for delivery of food only.

There will be no sale of alcohol at the premises either inside or outside of licensable hours.

Please see the operating schedule to see the steps I intend to take to uphold the Licensing Objectives.

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

What licensable activities do you intend to carry on from the premises?
(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

x

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

☐

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed			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 6)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		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 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
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 6)		
Sat					
Sun					

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)			
Wed						
Thur						
			<u>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</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
			State any seasonal variations for the playing of recorded music (please read guidance note 5)			
Wed						
Thur						
			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 6)			
Fri						
Sat						
Sun						

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			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 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:00	Please give further details here (please read guidance note 4) I will be closing the shop at 23:00 to customers. However I would like to apply for extended hours until 03:00 for delivery of food only. Please see the operating schedule to see the steps I intend to take to uphold the Licensing Objectives.		
Tue	23:00	03:00			
Wed	23:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	03:00			
Fri	23:00	03:00	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 6)		
Sat	23:00	03:00			
Sun	23:00	03:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue					
Wed					
			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 6)		
Thur					
Fri					
Sat					
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	12:00	23:00	
Tue	12:00	23:00	
Wed	12:00	23:00	
Thur	12:00	23:00	
Fri	12:00	23:00	
Sat	12:00	23:00	
Sun	12:00	23:00	

<u>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</u> (please read guidance note 6)		
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--

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

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

Please see attached sheet

b) The prevention of crime and disorder

Please see attached sheet

c) Public safety

Please see attached sheet

d) The prevention of public nuisance

Please see attached sheet

e) The protection of children from harm

Please see attached sheet

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). X


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.

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.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [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
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	proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	01 June 2017
Capacity	Owner

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

- 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.
- 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

M – The steps I intend to take to promote the four Licensing Objectives

General

I have seven years experience running this model of operation to the times applied for in the City of Westminster, with no issues or complaints. Similarly, I have been operating a delivery service from this premises since I took over in July last year until 01:00 on weekdays and until 02:00 at the weekends. I understand that there have been no issues or complaints. These are also the times the previous owners operated the premises until.

The prevention of crime and disorder

1. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.
2. The premises licence holder will work closely with the Police and the Licensing Authority.
3. All instances of crime and disorder shall be reported to the police.
4. An incident book shall be used to record all instances of public disorder.

Public safety

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

The prevention of public nuisance

6. Staff at the premises shall ensure that the immediate area outside the premises is kept clear of rubbish at all times the premises are open and operating.
7. 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.
8. The below conditions apply between the hours of 0000-0300 Monday - Friday and 0100-0300 Saturday and Sunday.
 - a) The premises will be closed to the public.
 - b) Sales are by way of deliveries only.
 - c) There will be no external advertisement to suggest the premises is open for business.

- d) The premises will have adequate shutters/blinds so as not to emit any light from the premises or give any persons the impression it is open for walk in trade.
- e) Any advertisement in any media form for customers must clearly state deliveries only.
- f) Any deliveries from online/telephone sales must be to a recognisable royal mail address and not to persons outside of buildings/dwellings.
- g) Vehicles used for delivery must switch of their engines when waiting outside of the Premises for the collection of food for delivery.
- h) Drivers shall wait inside the premises between deliveries/for deliveries.
- i) Staff who depart late at night will be asked not to cause disturbance to nearby residents.

The protection of children from harm

9. No alcohol will be sold at the premises.

Licensing Act 2003- Representation from the Licensing Authority
Premises: YUM YUM, 379 ST JOHN ST LONDON EC1
Applicant: Zekair Herar

I am submitting a representation on behalf of the Licensing Authority in respect of this new application for a Premises Licence to permit late night refreshment on the premises

- Monday to Saturdays from 23:00 to 03:00
- Sundays from 23:00 to 00:00

The application contains an anomaly over the proposed hours and it is unclear what the applicant's intentions are. In the description of the premises the applicant has stated it is their intention to close at 23:00 hours but would like to deliver food until 03:00; however, in the proposed conditions attached to the application (number 8), the applicant has stated that the premises would be closed to the public from midnight Monday to Friday and 01:00 on Saturday and Sunday.

The application raises concern about compliance with the Licensing Act 2003. The applicant has stated that they ran a premises in Westminster for the same hours as currently being sought for 7 years. The Licensing Service has contacted Westminster Council who have reported that no licence was ever granted for the premises referred to. Furthermore, the applicant has reported that they have been operating the current premises to 02:00 without a licence since July 2016. The applicant states that they have relied on information provided by their solicitor but has evidently made no attempt to obtain a copy of the "licence", which the solicitor referred to. This admission raises concerns about the ability of the applicant to comply with the licence requirements.

The applicant has stated that they have operated from this premises with no issues or complaints. However, Council records show that the applicant has been issued with 4 Fixed Penalty Notices in respect of litter offences relating to these premises since November 2016; these remain unpaid.

The premises has previously been licensed. The Licensing Sub Committee granted a licence on 6 November 2012 to allow Late Night Refreshment until 23:30, Mondays to Sundays. This licence was subsequently surrendered on 16 December 2013; the then licence holder stated that they had never used the licence.

Whilst it is appreciated that the current application does not include the sale of alcohol, the premises is in a part of the borough which is relatively quiet late at night despite being located between the borough's two busiest late night areas at the Angel and in Clerkenwell. Whether the premises is open to customer or not, the arrival and dispatch of delivery drivers will inevitably lead to an increase in noise levels in the early hours of the morning.

The following Policies, determined by the Licensing Authority as being appropriate to promote the licensing objectives, are relevant to this application:

Licensing Policies 1, 2, 8, 9, 10, 18

- The premises is located in the Clerkenwell Cumulative Impact policy area;
- The premises is located in an area where there are no other late night operating premises in the immediate vicinity;
- The premises is located very close to residential dwellings;
- The proposed hours are outside the favourable hours for take-away premises (midnight Sunday to Thursday and 01:00 Friday to Saturday);
- The applicant has demonstrated a lack of understanding of the legal requirements and has admitted to a history of non-compliance in respect of the Licensing Act 2003;
- There is evidence of non-compliance with other statutory requirements and poor

management in respect of litter management.

In view of these concerns the Licensing Authority is making a representation against the grant of this application. It is recommended that the application be refused as the Licensing Service has concerns about the ability of this operator to comply with the legal requirements and operate to the required standards.

Terrie Lane
Licensing Manager
Islington Council
Public Protection Division
222 Upper Street
London N1 1XR
T: 020 7527 3233
E: terrie.lane@islington.gov.uk

27 June 2017

Your Premise License Application

Our Licensing/NI

Date: 28/06/2017



Rep 2

NEW PREMISE LICENSE APPLICATION

Yum Yum
379 St John Street
London
EC1V 4LD

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

Email:
licensingpolice@islington.gov.uk

28th JUNE 2017

Dear Sir/Madam

Re: New Premises License Application: Yum Yum, 379 St John Street London EC1V 4LD

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives, Prevention Of Crime and Disorder and Prevention of public nuisance

The venue is situated in the 'Clerkenwell Cumulative impact area' (CIA), an area which traditionally suffers from high levels of crime and disorder and there are concerns that the addition of a further Licensed venue will add to this impact causing further policing problems in an already demanding area.

I am aware that this venue has been operating without a License for the last year. The applicant Mr Zekair Herar only made this application after contacting the Council Licensing Team to ask about making a license variation. It was then discovered that the previous venue License had been surrendered in December 2013.

Mr Herar stated that when buying the premises he had been told by his solicitor that the venue was licensed until 3am. I appreciate that Mr Herar was paying for best advice from his solicitor but I am astonished that he has never taken the time to read a copy of the license, if there was one, and if he did not have a copy then why has he not contacted the Council to ask for a duplicate. I have grave concerns about his ability to manage the venue correctly and within any conditions on the license.

I emailed Mr Herar asking for some information regarding the application. I received a very short reply so I further emailed asking for further information and details of Mr Herar's previous experience within the licensing trade. I have not had a reply at this time.

I have been made aware that Mr Herar did operate a venue in Westminster for a number of years but it seems that Westminster Licensing have not heard of this venue?

I submit that the Committee refuse the application.

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

Islington Police Licensing Team
Pc Steven Harrington 425NI

[REDACTED]

From: [REDACTED]
Sent: 28 June 2017 10:12
To: Licensing
Subject: Ref WK/170016271 -Yum Yum 379 St John Street, Islington, London EC1V 4LD

.To: Licensing Service
London Borough of Islington,
3rd Floor,
222 Upper Street,
London N1 1XR

By email: licensing@islington.gov.uk

28th June 2017

Dear Sir/Madam,

Licensing Act 2003 – Premises Licence Application New
Re: Yum Yum, 379 St. John Street, Islington, London EC1V 4LD
Your reference- WK/170016271

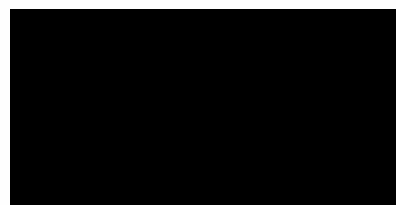
We refer to the above licence application.

We are the owners of the flat at [REDACTED] and wish to object to the grant of the licence that has been applied for by Yum Yum. There is already significant disturbance of residents at our flat and the adjoining flats from activities currently being carried on by Yum Yum and the latest proposals will exacerbate the current position. We do not consider that it is in the public interest to grant the current application which will only lead to increased levels of noise and anti-social behaviour and additional disturbance of local residents in the middle of the night.

We urge the Licensing authority to reject this application.

Your faithfully

[REDACTED]




28th June 2017

Dear Sir / Madam,

RE : LICENCING ACT 2003 - PREMISES LICENCE APPLICATION FOR
YUM YUM, 379 ST JOHN STREET, ISLINGTON, LONDON, EC1V 4LD
REFERENCE - WK/170016271

We are aware that Yum Yum Restaurant / Take Away have made an application for a premises licence at 379 St John Street.

We object to this application.

We purchased our property just short of a year ago and have watched with frustration & disdain how the delivery scooter drivers have "settled" into the area. As time has gone by, they have become more & more comfortable milling around outside 

They tend to sit on their scooters or hang around in groups just outside our property, blocking the pavement and our entrance to our properties. I've even come home to find them sitting on our doorstep, blocking it and making me feel uncomfortable and worried for my safety opening the front door with them so close & watching my every move. The increased activity, the smoking, scooter noise & general loud communicating is extremely frustrating as it is right outside the windows of our lounge & bedroom.

We definitely do not want the licence granted as the delivery times could then extend to 3am from Tuesdays to Sunday & so too will the noise of scooters coming & going and the milling around of the delivery drivers to our property.

I trust you will take this into consideration when reviewing the application.

Kind regards

A black rectangular redaction box covering the signature area.

Owners of 

[REDACTED]

From: [REDACTED]
Sent: 21 June 2017 10:22
To: Licensing
Subject: RE: Yum Yum 379 St John Street, Islington, London EC1V 4LD - Licence application

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

I am the owner of flat [REDACTED] which is only yards from the above premises. I would like to object to the application of extension of opening hours and sale of alcohol.

We already have a big issue of noise and littering from people loitering outside mine and neighbouring properties in the evening from Yum Yum customers. I can only image that this will make our situation worse.

During the day I have customers from Yum Yum sitting on my doorstep and litter sometimes end up in my basement lightwell. Litter that I have to collect myself and if litter is not collected on a regular basis rotting food is left festering outside the bedroom window. If the outlet is open through the night the nuisance to myself and neighbours with undoubtedly be increased.

Nearby Upper Street, Exmouth Market and further down St John Street already have sufficient late night outlets to cater for these customers. So I see no need to for this application to be approved.

Kind regards

[REDACTED]

To: Licensing Service
London Borough of Islington
3rd Floor, 222 Upper Street
London N1 1XR

By email: licensing@islington.gov.uk

Pilotgrange Property Management Co. Ltd.

28th June 2017

Dear Sir/Madam,

Licensing Act 2003 – Premises Licence Application New
Re: Yum Yum, 379 St. John Street, Islington, London EC1V 4LD
Your ref: WK/170016271

I am writing on behalf of the eight owners and occupiers of the flats comprising [REDACTED] in connection with the above application under the Licensing Act 2003. I am the Company Secretary of Pilotgrange Property Management Company Limited, which is the company co-owned by the eight flat-owners and acts on behalf of the common interests of the residents.

Together we constitute the properties which are closest and therefore most immediately affected by this application recently submitted by Yum Yum restaurant and take-away, and are concerned about the impact on order, noise and safety that may result from approving the application.

The presence of Yum Yum has already led to a considerable increase in the level of noise in the street as a result of the activities of both the direct customers of Yum Yum and the delivery scooters/motorbikes whose drivers park and gather outside both Yum Yum itself and further up the road outside Nos. [REDACTED] including smoking and chatting on the doorsteps of our premises. This has resulted in higher levels of noise in the early hours of the morning, so the nights are already much noisier, particularly on the occasions when there are arguments outside which then provoke further noise, dogs barking, and so forth, and can sometimes become quite disturbing for us as the nearest residents.

We recognise that local and passing communities have an interest in encouraging local food and other businesses and have therefore not wished to make an issue of this in the past, but we believe that this application goes beyond what is in the common public interest. The extension of hours which has been proposed, including deliveries until 3am in the morning, will inevitably lead to considerably more nuisance and disturbance for a large part of the night, regardless of whether this relates to retail to customers or goods delivery.

Furthermore, we believe that an application for an alcohol licence is inappropriate and unnecessary: inappropriate because of the association between late-night drinking and public disturbance, and unnecessary since it is possible already to buy alcohol from shops within the area, some of which are open very late or even all night.

We therefore oppose granting this licensing application because it will increase the level of noise and other forms of public nuisance well into the early hours of the morning and – especially given the involvement of alcohol – has the potential to lead to crime and other disorders.

I trust that you will take into account the objections raised by the flat-owners of the eight properties which are nearest and therefore most affected, and reject this application. Thank you for considering our views.

Yours faithfully


Company Secretary

Pilotgrange Property Management Company Limited, representative of the eight flat-owners of 

Gallacher, Simon

From: Zekair Herar [REDACTED]
Sent: 04 July 2017 18:49
To: Gallacher, Simon
Subject: Re: Yum Yum 379 St John Street
Attachments: 20170704_165841.jpg; 20170704_182600.jpg

Dear Sir,

Thank you for your email. I have read the attachment and would like to make some points in response to it. I do appreciate the concerns made by the neighbouring residence.

Firstly, we are not selling any alcohol at our venue.

Secondly, our takeaway will be closed for the public after 11pm which will reduce the noise and nuisance.

Thirdly, our food delivery drivers will park their bikes in front of Sadler House theatre as it's a single yellow lane and there is no residence around. (Pictures Attached)

This way drivers won't be sitting on any residents' stairs (only if the drivers were sitting)

In response to the Penalty charges given to me, it was not in my attention as I was out of country to see my sick mother. I am willing to pay those penalty charges.

I hope you will take my points in your consideration and will be hearing back from you soon.

Regards

Zakeria Herar

On 3 Jul 2017 5:29 p.m., "Gallacher, Simon" <Simon.Gallacher@islington.gov.uk> wrote:

Please see attached Notice of Hearing and related representations.

Simon Gallacher

Licensing Officer

Licensing Team

Public Protection Division

Environment and Regeneration

Islington Council

3rd Floor, 222 Upper Street, London N1 1XR

Tel: (020) 7527 3879

Alternative contact: Terrie Lane (020) 7527 3233 www.islington.gov.uk

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

T 020 7527 3879

F 020 7527 3430

E simon.gallacher@islington.gov.uk

W www.islington.gov.uk

Our ref: wk170021356

Date: 10th July 2017

Zekair Herar



This matter is being dealt with by:
Simon Gallacher

Dear Mr Herar

LICENSING ACT 2003

YUM YUM, 379 ST JOHN STREET, LONDON EC1V 4LD

Licensing Officers visited your shop between 23:36 and 00:11 hours on 7 July 2017. At the time of the visit your shop was clearly open and trading for the provision of late night refreshment.

You have already been informed that the supply of hot food or drink anytime between 11pm and 5am requires a licence, whether your shop is open to the public or used for deliveries. You do not currently have a premises licence.

It is an offence under the Licensing Act 2003, to provide late night refreshment without a licence. Should you continue to allow your shop to be used for the provision of late night refreshment you will render yourself liable for prosecution. Officers will continue to monitor activity at the shop to ensure compliance. You are strongly advised to ensure that your premises is not used for licensable activity without a valid licence.

Yours sincerely,

A handwritten signature in black ink, appearing to read "S. Gallacher".

Simon Gallacher
Licensing Officer

Visit with NF 7 July 2017

Initially we drove past premises at 23:36 and observed lights on and 3 people behind the serving counter. Two motor cycles were parked immediately outside on the pavement and two males, who appeared to be delivery drivers, were standing immediately outside. I took a photograph as we drove past; NF was driving. We parked on St John Street and monitored activity at the premises standing on the opposite side of the road. I observed one of the riders was smoking. At 23:59 a third motor cycle arrived, pulling up outside. The rider entered the shop, collected an order, returned to his motor cycle and drove away. One of the remaining two riders then left with an order, which he collected from inside, on his motor cycle at 00:03. A further motor cyclist arrived, parked on the pavement opposite, entered shop, collected an order and then left. We continued to monitor, patrolling the pavement on the opposite side of the road and observed at least 5 different motor cyclist arriving, collecting and leaving with orders. We walked past the entrance, where the door was open and the sounds of cooking could be heard and the smell of Chinese style food cooking was clearly evident. A member of staff was seen preparing food in delivery packages. We returned to our vehicle and then drove past the premises again at 00:11. No shutters down, lights still on, and staff still visible behind the counter. There were at least two delivery drivers visible, now standing inside the premises. There were 3 motor cycles parked on the pavement outside and a further motor cycle parked on the pavement opposite.

SG



WINE

OFF LICENCE

FREE DELIVERY

Yum Yum
CHINESE TAKE AWAY

020 7778 2885

EXTRA
BANDS
← ↑

OPEN
WINE

STEAT

Suggested conditions of approval consistent with the operating schedule

1. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business, then Police must be informed.
2. The premises licence holder will work closely with the Police and the Licensing Authority.
3. All instances of crime and disorder shall be reported to the police.
4. An incident book shall be used to record all instances of public disorder.
5. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
6. Staff at the premises shall ensure that the immediate area outside the premises is kept clear of rubbish at all times the premises are open and operating.
7. 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.
8. The below conditions apply between the hours of 0000-0300 Monday -Friday and 0100-0300 Saturday and Sunday.
 - a) The premises will be closed to the public.
 - b) Sales are by way of deliveries only.
 - c) There will be no external advertisement to suggest the premises is open for business.
 - d) The premises will have adequate shutters/blinds so as not to emit any light from the premises or give any persons the impression it is open for walk in trade.
 - e) Any advertisement in any media form for customers must clearly state deliveries only.
 - f) Any deliveries from online/telephone sales must be to a recognisable royal mail address and not to persons outside of buildings/dwellings.
 - g) Vehicles used for delivery must switch off their engines when waiting outside of the Premises for the collection of food for delivery.
 - h) Drivers shall wait inside the premises between deliveries/for deliveries.
 - i) Staff who depart late at night will be asked not to cause disturbance to nearby residents.
9. No alcohol will be sold at the premises.

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Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	01 August 2017		Canonbury

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE VARIATION APPLICATION
RE: BOROUGH WINES, 344-346 ESSEX ROAD, LONDON N1 3PD

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 provision of off and on sales of alcohol on the ground floor Monday to Sunday from 09:00 until 23:00
 - Opening hours Monday to Sunday from 09:00 until 23:00.
- 1.3 The variation application is to:
 - The provision of on sales of alcohol in the basement Monday to Saturday in the basement from 10:00 until 23:00 and on Sunday from 11:00 until 22:00.
 - The provision of recorded music on Mondays to Friday from 16:00 until 23:00, on Saturday from 10:00 until 23:00 and on Sunday 11:00 until 22:00.
 - Opening hours Monday to Saturday from 09:00 until 23:00 and on Sunday from 10:00 until 23:00.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	No
Noise	Yes
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 The shop is not located in any of the Cumulative Impact areas.

4. Planning Implications

4.1 The Planning Department have not made an objection to this application and confirm there are currently no outstanding planning enforcement investigations in relation to this site.

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 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 5)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 5)

Conclusion and reasons for recommendations

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

Background papers:

The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance**Signed by**

Service Director – Public Protection

Date 19 July 2017

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 17

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

System reference

Not Currently In Use

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

Your reference

ER_N1_3PD variation

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

Mitch

* Family name

Adams

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

☐ 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

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

Registration number

[REDACTED]

Business name

Borough Wines & Beers Ltd

If your business is registered, use its registered name.

VAT number

-

[REDACTED]

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 17

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

15,000

Section 3 of 17

VARIATION

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

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐ Yes

☒ No

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 to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

We would like to add the basement of the property to our licensable area as a tap and tasting room for events. The kitchen is already licensed with HMRC as a small brewery (1BBL), The Brewery Below. We intend to host events within our current licensable hours for corporate and local customers. This will be for pre-planned ticketed or pre-booked group events.
Brewery Below
Reference Number: 17/3969/00
Brewers Account: 99/04127

Section 4 of 17

PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☐ Yes

☒ No

Section 5 of 17

PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to
vary is successful?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 16:00

End 23:00

Start

End

Provide 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 16:00

End 23:00

Start

End

WEDNESDAY

Start 16:00

End 23:00

Start

End

THURSDAY

Start 16:00

End 23:00

Start

End

FRIDAY

Start 16:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 11:00

End 22:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure select 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.

Film screenings for local groups and arts projects. Licenses for film screening rights will be acquired if necessary. Music will be amplified, although in the basement and on domestic speakers.

State any seasonal variations for the exhibition of film.

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 the premises will be used for the exhibition of film at different times from those listed above, 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 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 8 of 17

PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide 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...

WEDNESDAY

Start 16:00

End 23:00

Start

End

THURSDAY

Start 16:00

End 23:00

Start

End

FRIDAY

Start 16:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 11:00

End 22:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure select 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.

Background music with low wattage domestic speakers.

State any seasonal variations for playing recorded music.

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

none

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

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

none

Continued from previous page...

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 11 of 17

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 13 of 17

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

FRIDAY

Start 10:00

End 23:00

Start

End

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 11:00

End 22:00

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.

Off sales will be in line with our current activity, sealed containers sold from our retail shop as off sales.
On sales will occur on the premises, in the shop or basement only.

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

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

none

Section 14 of 17

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.

Provide 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.

Continued from previous page...

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 09:00

End 23:00

Start

End

Provide 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 09:00

End 23:00

Start

End

WEDNESDAY

Start 09:00

End 23:00

Start

End

THURSDAY

Start 09:00

End 23:00

Start

End

FRIDAY

Start 09:00

End 23:00

Start

End

SATURDAY

Start 09:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 23:00

Start

End

State any seasonal variations.

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

none

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

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

none

Continued from previous page...

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

n/a

Section 16 of 17

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.

In addition to the licensing objectives outlined in our original application. We will not be operating as a bar, just for pre-planned predominantly ticketed events. CCTV will be operational throughout the premises.

b) The prevention of crime and disorder

Guests will be asked to leave quietly, and will not be able to leave with open drinks. Challenge 25 will continue to be in operation.

c) Public safety

The basement has suitable fire equipment and escape routes, we will not allow more than 50 persons on the premises at any time.

d) The prevention of public nuisance

Events will be ticketed, guests will be asked to leave any events quietly. We have trialled 4 recent events on TENS in this nature. We found the events to run safely and without any public nuisance or complaints.

Continued from previous page...

e) The protection of children from harm

Alcohol will not be served to anybody under 18, a strict challenge 25 policy is already in place.

Section 17 of 17

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

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.

☒ 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

Mitchel Adams

* Capacity

Operations Director

* Date

10 / 05 / 2017
dd mm yyyy

**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN16049-200116	Date of original grant*	20 January 2016
--------------------------------	----------------	--------------------------------	-----------------

**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			
BOROUGH WINES 344A ESSEX ROAD			
Post town	LONDON	Post code	N1 3PD
Telephone number			

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground floor only
<ul style="list-style-type: none">The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities			
<ul style="list-style-type: none">The sale by retail of alcohol:			
Monday	09:00	to	23:00
Tuesday	09:00	to	23:00
Wednesday	09:00	to	23:00
Thursday	09:00	to	23:00
Friday	09:00	to	23:00
Saturday	09:00	to	23:00
Sunday	09:00	to	23:00

Gaming Machine Provision:
Not applicable

The opening hours of the premises:			
Monday	09:00	to	23:00
Tuesday	09:00	to	23:00
Wednesday	09:00	to	23:00
Thursday	09:00	to	23:00
Friday	09:00	to	23:00
Saturday	09:00	to	23:00
Sunday	09:00	to	23:00

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

Borough Wines and Beer Limited



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



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

Muriel Chatel,



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. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.
2. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
3. The premises licence holder shall comply with the current legal requirement for fire, health and safety.
4. No refuse, including bottles shall be moved, removed or placed outside between the hours of 22:00 and 07:00 daily.
5. The security shutter shall be maintained so as not to cause a noise nuisance to any adjoining noise sensitive premises.

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

None attached.

Annex 4 – Plans

Reference Number: LN16049-200116

Burrell, Ryan

From: Brothers, Anne
Sent: 08 June 2017 16:16
To: [REDACTED]
Cc: Burrell, Ryan; Jones, Carol
Subject: Premises licence variation application. Borough Wines, 344A Essex Road
Attachments: NoiseRepJUNE17.pdf

Dear Mr Adams

Please find attached a representation in relation to the above application.

The representation is self-explanatory and I hope you will accept the suggested conditions for the licence.

Please let me know your decision on this asap.

Best regards,

Anne Brothers

Licensing Noise Liaison Officer

Pollution Team

Public Protection Division

222 Upper Street

London N1 1XR

Tel: 020 7527 3047

Alternative contact: Noise Support Team: 020 7527 7272

www.islington.gov.uk

How to get here:

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

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Islington Licensing Authority Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

Your Name	Anne Brothers	
Job Title	Noise Liaison Officer	
Postal and email address	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk	
Contact telephone number	020 7527 3047	
Name of the premises you are making a representation about	Borough Wines	
Address of the premises you are making a representation about	344A Essex Road, London N1 3PD	
Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent public nuisance	Yes	The applicant has mentioned noise control measures on the application but has not put them on the operating schedule. This representation is to put the applicant's own suggested noise control measures on the premises licence as conditions.
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.		<ul style="list-style-type: none"> • Amplified music will be at background levels of sound and through low wattage domestic speakers only. • Events held in the basement will be ticketed or pre-booked group events only.

Signed: Anne Brothers

Date: 8 June 2017

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031

Licensing Authority Representation - Licensing Act 2003

Application: Borough Wines, 344-346 Essex Road

I am submitting a representation on behalf of the Licensing Authority with respect to the application for the variation of the premises licence in respect of the above premises to extend the operation of the premises into the basement.

The grounds for the representation are:

- The prevention of public nuisance

Licensing Policy Considerations:

Licensing Policy 2
Licensing Policy 4

Cumulative Impact Areas
Shops selling Alcohol

Issues of Concerns:

This premises has been licensed since December 2015 when a licence was granted by a members of the Licensing Sub Committee. The licence was granted for on and off sales of alcohol at the premises from 09:00 until 23:00 for the ground floor only.

This application seeks to licence the basement for on and off sales of alcohol from 10:00 until 23:00 Monday to Saturday and from 11:00 until 22:00 on Sunday. The application also seeks to licence the basement for recorded music from 16:00 until 23:00 Monday to Friday, from 10:00 until 23:00 on Saturdays and from 11:00 until 22:00 on Sundays.

The Licensing Authority does not object to this application in principle, however, the Licensing Authority has concerns over the granting of this licence without specific conditions for the basement which safeguard residential amenity from the basement becoming a club.

The inclusion of the basement at this premises increases the potential for more customers to be on the premises at any one time. An increase in customers may have an impact on neighbours when the premises closes. From discussions with the applicant, the Licensing Authority understand that for the vast majority of the time, if the basement is open for an event, the ground floor shop will be closed.

Summary and recommendations

If the Committee is minded to grant the application the Licensing Authority recommends the following conditions;

1. The premises shall not operate as a bar.
2. Consumption of alcohol on the premises shall be limited to the basement for wine tasting events. These events shall be in a very controlled environment promoting education around wine and wine knowledge with limited numbers at each event and operated on a ticketed or invite only basis. Wine shall be served in small measures only of approximately 25ml.
3. Customers should not be allowed to consume purchased alcohol outside the premises.
4. Any music played at the premises will be at a background volume.

5. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
6. 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.

Imposing additional conditions proposed by the applicant, Licensing Authority and/or Members of the Licensing Committee --should safeguard the amenities of the residents and prevent the premises impacting on the night time economy.

Jan Hart
Service Manager
Islington Council
jan.hart@islington.gov.uk



13 July 2017

Burrell, Ryan

From: [REDACTED]
Sent: 30 May 2017 16:31
To: Licensing
Subject: Concerns re the licence for Borough Wines 344-346 Essex Road
Importance: High

Hi There,

My flatmate and I live at [REDACTED], which is [REDACTED] the Essex Road Borough wines shop and [REDACTED] to it. We are on the [REDACTED] floor and directly [REDACTED] our flat is the Borough wines cellar/basement. We have concerns regarding the extension of their licence to hold events in the basement, as noise from the basement can echo [REDACTED] into our flat, so we are concerned that when events are being held we will be disturbed by noise coming from the basement.

Are there plans to put sound proofing in? Also [REDACTED] to our [REDACTED] is a entrance/exit to the basement, we are not sure if this will be used for events but if it is, we have concerns that we will be disturbed by the comings and goings.

I did try and process an online representation via the licencing website but I got an error message, so I am sending this email instead. If you have any questions please feel free to contact me: [REDACTED]

Best regards

[REDACTED]

Burrell, Ryan

From: [REDACTED]
Sent: 12 June 2017 09:42
To: Licensing
Subject: Borough Wines, Ground Floor, 344-346 Essex Road, Islington, London N1 3PD

I would like to comment on the licence application at above address.

Interest: Resident

Public Noise Nuisance:

It sometimes gets very noisy on Essex Road and neighbouring roads late on Friday and Saturday nights, with drunk people shouting and making a lot of noise. This is a particular issue for us, as we live [REDACTED] the [REDACTED] of Englefield Road and Essex Road. If the business attracts more customers during these late hours with additional film and music offerings, this will likely worsen the current problem, particularly as customers leave the premises.

Crime and Disorder:

Similarly, fights and scuffling occasionally break out between individuals in this area at night. Allowing the business to attract more customers and increasingly encourage them to consume alcohol on the premises, and over a longer period, may increase the frequency of these incidents.

The address of the premises is in the Angel and Upper Street Cumulative Impact Area of Islington, suggesting that the Council is already aware of the issues mentioned above.

[REDACTED]

Rep 5

Burrell, Ryan

From: [REDACTED]
Sent: 27 May 2017 09:06
To: Licensing
Subject: Borough Wines, 344-346 Essex Road, London N1 3PD

I refer to your letter dated 24 May 2017 regarding the application for a new licence at the above premises. I have the following representations:

Name: [REDACTED]

Interest: Resident at [REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

Comments:

Public Nuisance: the basement sale of alcohol, the showing of films and playing of music will exacerbate the existing night time noise issues from other premises nearby, such as the Lord Clyde pub. My [REDACTED] [REDACTED] Englefield Road and is very near to Borough Wines and the noise caused by the proposed new uses will be detrimental to me.

Crime and Disorder: similarly, the proposed uses will probably add to the potential for increased crime and disorder.

[REDACTED]

27 May 2017

The licence will be subject to all of the terms and conditions of the existing premises licence. The conditions are listed below;

1. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.
2. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
3. The premises licence holder shall comply with the current legal requirement for fire, health and safety.
4. No refuse, including bottles shall be moved, removed or placed outside between the hours of 22:00 and 07:00 daily.
5. The security shutter shall be maintained so as not to cause a noise nuisance to any adjoining noise sensitive premises.

Suggested conditions of approval consistent with the operating schedule

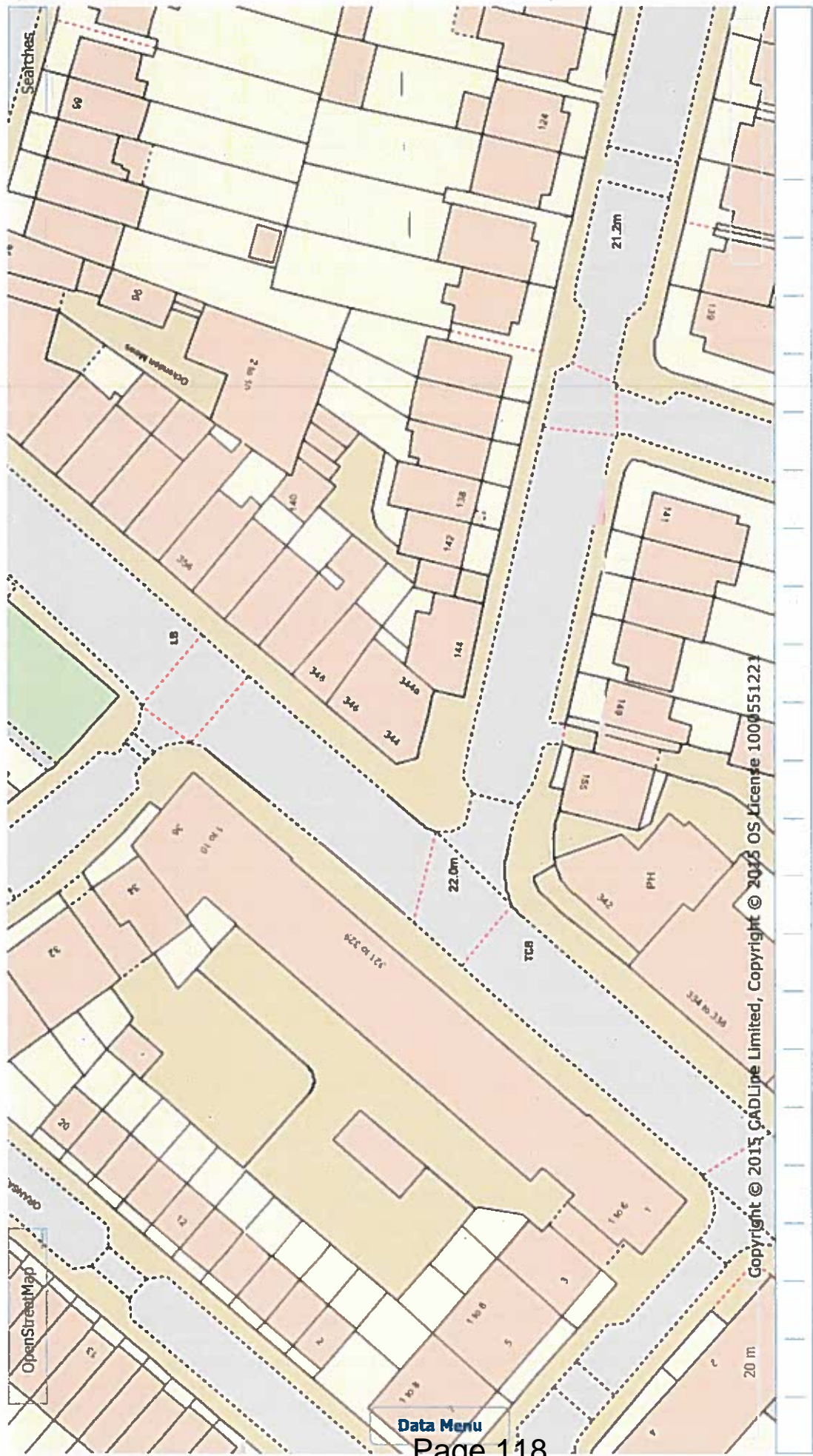
6. The premises will not operate as a bar, just for pre-planned ticketed events – See conditions 11 & 12
7. CCTV will be operated throughout the premises
8. Guests will be asked to leave quietly – See condition 16
9. Guests will not be allowed to leave the premises with open containers
10. No more than 50 persons shall be allowed in the basement of the premises at any time

Conditions suggested by the Licensing Authority – Not agreed at the time of writing the reports

11. The premises shall not operate as a bar.
12. Consumption of alcohol on the premises shall be limited to the basement for wine tasting events. These events shall be in a very controlled environment promoting education around wine and wine knowledge with limited numbers at each event and operated on a ticketed or invite only basis. Wine shall be served in small measures only of approximately 25ml.
13. Customers should not be allowed to consume purchased alcohol outside the premises.
14. Any music played at the premises will be at a background volume.
15. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
16. 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.

Conditions suggested by Islington's Noise Service – Not agreed at the time of writing the reports

17. Amplified music will be at background levels of sound and through low wattage domestic speakers only.
18. Events held in the basement will be ticketed or pre-booked group events only.



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