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## AGENDA FOR THE LICENSING SUB COMMITTEE C

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

**Yinka Owa**  
**Director of Law and Governance**

Enquiries to : Jackie Tunstall  
Tel : 020 7527 3068  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 26 June 2017

### **Membership**

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

### **Substitute**

All other members of the Licensing committee

Quorum: is 3 Councillors

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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|----|-----------------------------|--------|
| 5. | Order of Business           |        |
| 6. | Minutes of Previous Meeting | 1 - 12 |

<b>B.</b>	<b>Items for Decision</b>	<b>Page</b>
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|----|--|--------------------|
| 1. | Fora Space, Ground Floor, 71 Central Street, EC1V 8BU - Premises licence variation | 13 – 76<br>Bunhill |
|----|--|--------------------|

- |    |   |                        |
|----|---|------------------------|
| 2. | Shoreditch Grind, 213 Old Street, London, EC1M 4AY - Premises licence variation | 77 – 132<br>Bunhill    |
| 3. | Hop, Burns and Black, 38 Balls Pond Road, N1 4AU - New premises licence         | 133 – 168<br>Mildmay   |
| 4. | Palmera Oasis, 332 Essex Road, N1 3PB - New premises licence                    | 169 – 190<br>Canonbury |

**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 C - 2 May 2017**

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

<b>Present:</b>	<b>Councillors:</b>	Rowena Champion, Asima Shaikh and Flora Williamson (Chair).
<b>Also Present:</b>	<b>Councillors:</b>	Kaya Comer-Schwartz (Item B1)

**Councillor Flora Williamson in the Chair**

## 150 INTRODUCTION AND PROCEDURE (Item A1)

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

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

There were no apologies for absence.

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

There were no declarations of substitute members.

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

There were no declarations of interest.

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

The order of business would be as the agenda.

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

**RESOLVED:**

That the minutes of the meeting held on 6 March 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**156 NOMAD, 58 OLD STREET, EC1V 9AJ - PREMISES LICENCE REVIEW (Item B1)**

The Sub-Committee noted the tabled papers forwarded by Wenlake Management and also those submitted by the licensee's representative.

The noise team reported that the review had been submitted following repeated non-compliance with conditions by the licensee. Complaints from residents had been received since January 2011. The sound levels were discussed with the management of the premises and a calibration certificate was requested. In April 2011 a calibration certificate was received but this did not include all information that was required and was rejected. No response was received. Warning letters were sent in December 2012 and reminders in January and February 2013 but no response was received. It was made clear to the

## Licensing Sub Committee C - 2 May 2017

acoustic consultant for Nomad that the noise levels were greater than the levels on the licence and that a variation would need to be applied for should they require the levels to be varied. They were also reminded that a calibration certificate needed to be submitted. The acoustic consultant did not acknowledge the licence conditions and did not detail any sound insulation works that had been carried out. In March 2013, the acoustic consultant informed the noise team that the noise levels were acceptable. However these levels were in excess of the condition on the licence. He was advised that if the sound levels were to be increased, a variation of the licence would need to be applied for. The acoustic consultant wrote in June disagreeing with the conditions and in response to this letter he was asked to vary the licence. In September 2016 a calibration certificate was requested and again in January 2017. The licensee and his representative attended an officer panel in November 2016 and they advised that a certificate would be submitted. A certificate was received on the 2 May 2017, on the day of the Licensing Sub-Committee meeting, and levels were in excess of the noise level condition by a large amount. The applicant had been advised on at least four occasions to apply for a variation, complaints were still being received from residents and there was a lack of responsibility from the licensee. The noise team had been forced to submit a review of the licence due to non-compliance.

The police officer reported that he had read the review and was in agreement with it. He had been present at the officer panel in November and agreements had been made regarding CCTV and serious assault conditions but no variation had been submitted following the panel meeting. He considered that management of the premises did not reach the high standards required. The licensee talked about making changes but then did not act.

The licensing authority stated that at the officer panel the licensee had agreed to submit a minor variation and to submit an acoustic survey. Complaints had still been received and there had been no contact from the licensee since the review except in the two days prior to the review hearing. It was suggested that there be a suspension of the licence in order to allow acoustic works and the submission of a calibration certificate.

A local resident reported that the premises was a club venue with a continuous thud of loud music. A supermarket nearby had an alcohol licence and the patrons of Nomad used it to buy cheaper alcohol. Regularly patrons would spill out of the club at 5am and consume alcohol in the street. There would be loud noise from patrons beneath his bedroom. The patrons used the estate and there would be loud music from vehicles, patrons would congregate whilst drinking alcohol and there would be shouting, fights, bottle smashing and slamming of doors. The estate was then left in a mess and extra caretakers had to be employed to clear up the debris. The licensee had sent an email on the day of this meeting about measures he proposed to introduce including a marshal to cover the estates. The resident did not consider this would address the loitering and noise nuisance. Patrols would not be able to identify the patrons and move them on and marshals would meet with resistance. He stated that Nomad had not addressed the issue of noise inside the premises which was within their control so he had little faith that they would be able to control the noise outside the premises.

The licensee's representative stated that incidents of crime and disorder were a matter for the police and there had been no suggestion of any such incidents. There had only been one incident in seven years. The licensee was perfectly happy with the conditions proposed at the officer panel and training had taken place two weeks after the officer panel meeting. The review process had taken place which was why the variation had not been submitted. They were also happy to accept the SIA condition proposed at a rate of one door supervisor to every fifty customers as they already did this. He stated that the proposal to reduce the hours would almost kill the business. There had been no suggestion previously that the hours should be reduced. The problems in 2016 had been more associated with public

nuisance and not noise escape. There had not been a long history of public nuisance and they had not been aware of nuisance in the street until October/November 2016. If they had known previously they could have taken action. The acoustic consultant was unaware how the condition about noise levels had been inserted onto the licence as these had not been agreed at the licensing hearing in 2008. He tabled a proposed additional condition to employ an acoustic consultant to replace the conditions 19 and 20 on the licence. The tabled condition would be interleaved with the agenda papers. They were not aware of any issues with noise escape between 2013 and 2016. He stated that following the officer panel the search wand was always used. The fire extinguisher issue had been addressed. The closure of Honduras Street was wrong but it was done in an attempt to help the parking situation. The sound system had been calibrated. Further measures put in place were to employ marshals to patrol the area. Management had found that people did respond to patrols. People causing nuisance on the estates may not all be patrons of Nomad. Nomad would help with litter patrols. Notices and procedures had been tabled for information. During the week they held community events such as swing nights, dance classes. At the weekend they would hold promoted events, gig nights or birthday parties and it was stated that a reduction in hours would be a business killer. They employed a bar manager and six or seven bar staff. It was stated that one positive representation had been received.

In response to questions the licensee's representative said that the calibration certificate had not been provided as they had not understood why conditions 19 and 20 were on the licence. The acoustic consultant had pursued this matter with the noise team but had not got anywhere. An application for a minor variation, which had been agreed in November at the officer panel, had not been submitted because of busy diaries. A variation application had not been made previously as between January 2013 and September they had not heard anything from the noise team and had considered this matter resolved. It was noted that an officer panel indicated serious concerns despite this gap in time but a calibration certificate had still not been prepared. The licensee was aware that he needed to comply with licence conditions but could not understand how conditions 19 and 20 had been applied to the licence. The licensing officer advised that following the submission of sound/insulation details by the previous licensee these conditions would have replaced the previous condition on the licence. She stated that there was an error regarding the correct floors on the licence and once the licensing officer was notified of this the licence was amended. The licensee's representative did not consider they needed to ask for a variation if it was a technical administrative error on the licence. The licensee considered that the noise levels on the licence would be too low and if they had to comply to these levels they would not be able to run their business. The licensee stated that there had been substantial sound proofing although it was accepted that evidence of these works had not been provided. The licensee stated that they would want to see the condition regarding the appointment of a noise consultant on the licence and that this be removed once a scheme had been agreed with the noise team. The licensee reported that sound proofing works had been carried out and no music noise could be heard outside although he then admitted that at times there had been noise escape. For the past month to six weeks there had been new security, CCTV, Lodos had been working with Nomad and could also provide CCTV and there had been a marshal at the front of the estate to act as a deterrent. The licensee refuted that there was weak management at the premises and stated that the premises was bad when he took over the licence. Crime was low but it was accepted that there were some anti-social behaviour/dispersal problems. He asked customers to stay inside the venue for taxis. He did not get callouts by the police and often helped the police out. Not all of the problems were coming from Nomad. He had tried to prevent people parking in Honduras Street. He had now put systems in place and would welcome a visit from officers. The licensee stated that he thought he was getting it right but he would take on board the concerns. He stated he did not know about the public nuisance outside the premises until October 2016 and should be given a chance to put this right. The licensee was informed that there had been a high level of support from residents for this review. He accepted the

police conditions but not the proposed curtailing of hours as this would be the finish of the business and he considered he should be given a chance to put measures in place. He had employed marshals six weeks ago. It was noted that the noise team were still receiving noise complaints in January 2017. He considered that the correct systems were now in place. The Sub-Committee noted that the resident disagreed. He stated that over the last six weeks there had been timed patrols of the area. He informed the Sub-Committee that he would have to accept a closure of the premises if this was the decision.

In summary, the noise team stated that it was very common to have sound levels details on the licence following a sound survey. The public nuisance had been discussed with the licensee but nothing had been done. She had advised the noise consultant on at least four occasions to apply for a variation to the licence. The one resident who had written in to support the licensee lived over a quarter of a mile from the premises and was not affected by the public nuisance.

The police stated that they would need the use of marshals to be a condition of the licence and patrons barred from the club if identified as perpetrating anti-social behaviour. An ID scanner could be conditioned which was a useful tool when dealing with anti-social behaviour. Signage should be clear and the website should highlight procedures. The problems caused were anti-social behaviour and noise disturbance. It was not for the police to deal with this behaviour and residents were suffering. The reduction in hours would reduce anti-social behaviour and conditions should still be applied to the licence.

The licensing authority stated that they had no confidence in the management, there had been no application to vary the licence and the calibration certificate had not been received despite repeated requests.

The licensing authority stated that they had no confidence in the management and there had been no application to vary the licence or the receipt of the calibration certificate despite repeated requests.

The local resident had called the police on a number of occasions because of fights but people had dispersed by the time the police had arrived. He considered that the measures were not working and the business should go back to being run as a public house. Residents were suffering as the issue was noise. There were 30 representations and he had attended the meeting despite being a busy man. The management could not keep people quiet. It was not the same during the week. Despite triple glazing he could hear the thud of music and noise from patrons most weeks even two weeks ago. He agreed with a reduction of hours. The condition in the licence had not been addressed and the acoustic consultant had not even attended the meeting.

The licensee's representative offered the previous condition 13 to replace conditions 19 and 20. He stated they should work together to prevent noise disturbance. If sound levels were not agreed there could be no regulated entertainment and a cutback in hours would kill the business. The premises could not simply go back to being a pub and employees would be out of work. The licensee was aware about public nuisance in October and was now taking steps. If these did not work the matter could be brought back to Committee. If the old condition 13 was added he considered it would work. In response to a question from the Sub-Committee he agreed in a reduction in hours on Sunday – Thursday. The licensee reported that Nomad was situated on a main road with traffic lights outside. There was noise at these lights which he could not prevent.

**RESOLVED**

- 1) That the licence in respect of Nomad, 58 Old Street, EC1V 9AJ be suspended for a period of two weeks and modified as follows:-
  - a) That the hours for licensable activities be restricted until 01:00 am on Sunday to Thursday and 02:00 on Friday and Saturday.
  - b) That the following conditions be applied to the licence:-
    - When alcohol and/or public entertainment is provided by way of music and dancing, SIA registered door supervisors will be employed from 9pm until 1 hour after closing time at the rate of one door supervisor for every fifty customers.
    - CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to comply with the following criteria:

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

One camera shall 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 the 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 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.

**REASONS FOR DECISION**

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

The Sub-Committee heard evidence from the noise team that they had been requesting a calibration certificate since January 2011. A calibration certificate received in April 2011 was rejected as it did not include all information required. Despite requests no further certificate was received until the day of this meeting. This certificate was also rejected because the

## **Licensing Sub Committee C - 2 May 2017**

levels were in excess of those specified on the licence. Some were increased by 20 decibels, which was too loud for the structure of the premises. The Sub-Committee heard evidence that the licensee had been advised on at least four occasions to apply for a variation of the licence if he wanted the levels to be reset but no application had been received. The Sub-Committee noted the recommendation of the noise team that the hours be reduced to 2am on Fridays and Saturdays.

The Sub-Committee heard evidence from the police that, at an officer panel meeting in November 2016, the licensee had agreed to further conditions suggested by the police. The police discussed with the licensee the making of a variation application to add these conditions to the licence but no such application was made. The Sub-Committee noted the police concerns that the management of the premises was not up to the high standards required.

The Sub-Committee heard evidence from the licensing authority that complaints were still being received and that there had been no improvement. The Sub-Committee heard that since the review application was submitted there had been no contact from the licensee, until Friday 28 April and the morning of this Sub-Committee. The Sub-Committee noted the licensing authority's recommendation that the licence be suspended for a period of time to allow for acoustic works and a calibration certificate.

The Sub-Committee heard evidence from a local resident that he and his family were disturbed by a continuous thud of loud music and are kept awake most weekends and some week nights. He stated that Nomad patrons spill out at five am, go to the supermarket and consume more alcohol. He stated that patrons used the estate as a meeting point and caused havoc, screaming and shouting, urinating on the estate, fighting, smashing bottles and using drugs. He stated that patrons sat in vehicles and played loud music. The Sub-Committee noted the resident's concerns that actions proposed by the licensee such as marshals and patrols would not control the general noise caused by patrons leaving the premises. The resident stated that the management could not deal with the music being too loud even though they had full control of this, so how could they control disturbance outside.

The Sub-Committee heard evidence from the licensee's representative that there had been only one incident in seven years that had resulted in a report to the police. He was happy to accept the conditions proposed by the police and the noise team but not the reduction in hours. The Sub-Committee heard that, between 2013 and 2016 there had been no correspondence or complaint regarding sound escape or public nuisance and at the officer meeting in November 2016 there was only one mention of a complaint about people leaving. There was no long history of public nuisance complaints. The licensee was not aware of public nuisance until October/November 2016 and if he was not aware he could not take action. Since November 2016 he had taken action. The Sub-Committee heard evidence that the licensee had never understood how the levels were put as a condition on the licence and the licensee was proposing that an acoustic condition as tabled be added to the licence to replace conditions 19 and 20. The Sub-Committee heard that since the officers panel meeting, wands would be used as part of search procedures, fire extinguishers were addressed immediately, CCTV was addressed immediately and the calibration had now been done. Marshalls had been introduced as had litter patrols. The Sub-Committee noted the notices and procedures produced by the licensee.

The Sub-Committee noted that the licensee was prepared to accept a reduction of hours between Sunday and Thursday but that he did not accept a reduction on Friday and Saturday as this would kill his business.

The Sub-Committee was concerned about the standards of management at the premises. The management had failed to provide a valid calibration certificate for six years and had

failed to follow advice in relation to seeking a variation. The Sub-Committee was concerned that such a large number of residents, 27 in total, had indicated their support for the review due to the management's inability to control public nuisance and sound escape. The Sub-Committee noted the licensee's comments that sound proofing had been carried out at the premises but no evidence had been provided, no variation application received and sound escape complaints continued. The Sub-Committee noted the recent actions taken by the licensee but also noted the resident statement that noise issues continued.

The Sub-Committee having considered the evidence balanced the needs of the business and the needs of the local residents. The continuing noise problems at 5am were having a detrimental impact on residents' quality of life and the Sub-Committee was not satisfied that anything other than a reduction in hours would lessen this impact and promote the licensing objectives. The Sub-Committee remained concerned about the continuing failure to reset the noise levels in the premises and provide a calibration certificate, or to apply for a variation in relation to the noise levels. The Sub-Committee concluded that a two week suspension would allow time for the issue of the noise levels to be resolved.

The Sub-Committee was satisfied that this suspension together with the reduction in hours and the agreed conditions would combine to protect the residents' needs, allow the business to continue and promote the licensing objectives, particularly in relation to public nuisance, and that the measures were proportionate and appropriate.

The Sub-Committee considered licensing policy 30 regarding review of licences and licensing policy 8 in relation to licensing hours when making their decision. They also considered licensing policy 10 in relation to high standards of management. The Sub-Committee also considered the home office guidance particularly paragraph 11.20 in relation to the determination of this review.

**157**

**CROUCH HILL SUPERMARKET, 60 CROUCH HILL, N4 4AD - PREMISES LICENCE REVIEW (Item B2)**

The licensing officer reported that conditions regarding CCTV proposed by the police were at page 177 of the agenda.

The police officer informed the Sub-Committee that there were a couple of typing errors in the report at page 176 and that the name Huseyin be replaced with Savvas in paragraphs 5 and 6 of the report. The police officer reported that the owner's son was seen handling stolen alcohol. Police noticed a person entering the premises with a full bag and leave the premises with an empty bag. CCTV showed that Savvas Boybeyi handed cash to Mr Onay who in turn handed it to the person. Mr Savvas Boybeyi admitted the offence and signed a community resolution. The police reported that they were not happy with the management of the premises and were fairly sure that this would not have been the first time that this situation had happened.

The trading standards officer reported that Mr Boybeyi had attended an officer panel meeting following the seizure of illicit alcohol. The licence could have been reviewed at this time. In 2016 there were no suspect spirits or tobacco found on the premises that were suspect, however, there were beers with Polish-only labelling. No invoices had been received for these beers as presumably none were available. This led him to believe that it was highly likely that these would be non-duty paid. The manner in which the stolen goods were handled was routine and appeared to him to be acceptable business practice. In these circumstances he recommended revocation. There was the issue of honesty and the move from illicit alcohol to stolen goods. He asked that, should the licence be suspended, conditions as detailed in his representation should be added to the licence.

The licensing authority agreed with revocation. The licensee had failed to comply with conditions and offences had been committed.

The licensee's representative stated that the designated premises supervisor (dps) had not been in the country when this incident had occurred due to a family tragedy. He considered that the employees would behave in a different manner when he was away. Police were at liberty to interview the dps but he had not been interviewed. He stated that the dps had not been involved. Any thoughts about his involvement were based on speculation. The dps was away when both breaches occurred. There had been four underage test purchases attempted, none of which resulted in sales. There had been two visits since 2012, whilst the dps was away but he had provided invoices subsequently. Drinks had been priced incorrectly but were legitimately sourced. It was considered that it would not be proportionate or appropriate to remove the dps from the licence. He accepted conditions 2 and 4 and advised that a suspension should not be imposed as a punishment but only to get things in order to act as a deterrent and to have time to reflect. He agreed the conditions proposed by trading standards. He reminded the Sub-Committee that, although two representations had been received asking for revocation, the Home Office guidance stated that licensing authorities should look to the police as the main source of advice on crime and disorder. He stated that the police representation should carry a greater weight. He also referred to the guidance at paragraphs 11.20 which stated that licensing authorities should seek to establish the cause for concern and action taken should always be no more than an appropriate and proportionate response. Incidents took place whilst the designated premises supervisor was out of the country and it would not be a fair and proportionate response to take a livelihood away for actions not attributed to him. He stated that he could not be responsible for employee's behaviour when not in the premises. He showed the CCTV footage to police when requested. He asked the Sub-Committee to impose conditions as proposed.

In response to questions, the licensee's representative stated that the dps was accountable. If he had seen the CCTV himself he would be in a better position to know whether or not this incident had happened before and appeared to be general practice. He stated that the designated premises supervisor had dismissed two individuals, including his own son, which demonstrated he had taken the matter seriously. He had a record of ten years of a reasonable standard. He did not consider that the breaches were sufficient to revoke. In response to a question regarding the invoices the trading standards officer reported that one had been received dated 23 October but six other invoices were still outstanding.

In summary, the police officer stated he had not changed their opinion for their recommendation. He stated that Mr Onay had admitted that the same person normally dropped the bottles off and that Mr Savvas Boybeyi had admitted that he had helped to take off the security tags. He asked that the designated premises supervisor be removed from the licence.

The trading standards officer stated he was sorry for the loss of a family member but saw no reason why the licensee should not have been in better charge of the premises. He considered that it appeared that this was accepted practice. There would be no reason to interview the dps once the two people accepted responsibility. Only one invoice had been received when seven had been requested. He recommended that the licence be revoked.

The licensee's representative stated that evidence of the licensee's honesty had been shown by the provision of the CCTV which had incriminated his own son. He asked the Sub-Committee to consider the home office guidance. He stated it was not proportionate to revoke the licence. The dps was not in the country at the time of the incident.



**RESOLVED**

- 1) That the licence for Crouch Hill Supermarket, 60 Crouch Hill, N4 4AD be suspended for a period of two weeks and modified as follows:-
  - a) That Mr Huseyin Boybeyi be removed as the designated premises supervisor.
  - b) Mr Savvas Boybeyi or Mr Ali Onay have no involvement with the day to day management or any form of employment at the venue.
  - c) That the CCTV condition as proposed by the police be added to the licence as follows:-

CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to comply with the following criteria:  
The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking shall be kept and made available to Police or authorised Council officers on request;  
One camera shall show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;  
The system will provide coverage of the interior of any exterior part of the premises accessible to the public.  
The system shall record in real time and recordings will be date and time stamped. Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the 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 person on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
  - d) That conditions detailed on page 186 proposed by the trading standards team 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 national guidance and the Council's Licensing Policy.

The Sub-Committee heard evidence from the police that the review had been brought after the venue had been found to be handling stolen goods. The police stated that the offence was admitted and there had been a conviction and admission of guilt. There had also been a breach of two conditions on the licence. The police stated that the licensee's son had lied to the police before realising that the crime was on CCTV and that he had tried to blame an employee of the business, Mr Onay. The police stated that Mr Onay had admitted that this was not the first time that this person had come to the store and sold alcohol. The Sub-Committee noted the police view that the purchase of stolen goods was accepted business practice and that the licensee would have known this. The police confirmed that they were not happy with the way the venue was run.

The Sub-Committee heard evidence from trading standards that various conditions on the licence had been breached. The licence could have been reviewed in 2012 but instead the licensee attended an officer panel meeting and made a minor variation application to add appropriate conditions in relation to illicit goods. The Sub-Committee heard evidence that during a visit in November 2016 invoices for a number of Polish beers were requested and only one invoice was produced which did not cover all the beer concerned.

The Sub-Committee noted that the licensing authority recommended revocation as the licensee had failed to comply with the licence conditions and the premises had handled stolen goods.

The Sub-Committee heard evidence from the licensee's representative that the licensee was out of the country at the time the offence was committed. He did not know about the criminal activity and was taken advantage of whilst he was away. The Sub-Committee noted that the licensee was never interviewed by the police in relation to the offences. The licensee accepted the seriousness of the offence and agreed the conditions in relation to CCTV and the removal of Mr Onay and Mr Savvas Boybeyi from the business. The Sub-Committee noted that the licensee had dismissed Mr Onay and Mr Savvas Boybeyi from his employment. The licensee accepted that his record over the last 10 years had not been exemplary but it had been of a reasonable standard.

The Sub-Committee was concerned about standards of management at the premises. Although it was noted that the licensee was not in the country at the time of the offence, the past history of breaches and the evidence suggesting that this was not a one off offence were of concern. The licensee's failure to produce invoices for the alcohol seen in the stock room was a clear breach of the licence conditions. This, combined with the history of the premises and the offence under food labelling legislation, persuaded the Sub-Committee that the licensee should be removed as designated premises supervisor in order to promote the licensing objectives. The Sub-Committee was of the view that a two week suspension would not only give the business time to find an alternative designated premises supervisor but would also show other businesses in the borough that handling stolen goods is a serious offence and would not be tolerated.

The Sub-Committee was satisfied that this suspension, the removal of the designated premises supervisor and the agreed conditions would combine to promote the licensing objectives and that the measures were proportionate and appropriate.

The Sub-Committee considered licensing policy 30 regarding review of licences, licensing policy 10 regarding high standards of management and the home office guidance, particularly paragraphs 2.1 and 11.20.

**158**

**AYA SUPERMARKET, 599 HOLLOWAY ROAD, N19 4DJ - APPLICATION FOR NEW PREMISES LICENCE (Item B3)**

The police officer reported that the venue was in the cumulative impact area and there was nothing in the application to demonstrate why the operation of the premises would not add to the cumulative impact.

The licensing authority reported that there had been no engagement from the applicant. The saturation zone had not been addressed in the application. The licensing authority was concerned about street drinking in the area and asked that if the Sub-Committee were to grant the licence there should be a start time of 10am with the conditions proposed. However, this was a heavily saturated area and there was no need for another licence in the area.

The applicant's representative stated that as stated in the licensing policy at paragraph 4, each application would be on its merits and in paragraph 6, an exception would be a small premises with a capacity of fifty persons or less. Conditions as proposed were all accepted and a later start time of 10am was also agreed. This application was consistent with licensing policy 8 regarding hours and the applicant was not seeking to go beyond this time. He stated that an extensive operating schedule had been submitted. The premises would not impact negatively with the operating schedule conditions and hours proposed.

In response to questions it was noted that there were 12 other licensed premises within a 200m radius. The premises was currently operating on an unlicensed basis. It was noted that this ward had the highest number of off licences in the Borough and the premises was not expected to be any different to others in the area. It was noted that super strength beers would not be sold and the applicant offered a condition that no ciders would be sold.

In summary, the police stated that they had not heard anything about the venue that would be considered an exception. The venue could not fail to impact on the area and considered that the application be refused.

The licensing authority agreed with the police and considered that they had not heard anything different about his premises. For a small premises to be considered exceptional they should not be alcohol led.

The applicant's representative stated that the premises was currently trading as a community store so alcohol would be ancillary to the business. He stated that the operating schedule was comprehensive and all licensing objectives would be promoted. He considered that the licence would not impact negatively on the area should it be granted.

### **RESOLVED**

That the application for a new premises licence in respect of Aya Supermarket, 599 Holloway Road, N19 4DJ be refused.

### **REASONS FOR DECISION**

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

The Sub-Committee took into consideration Licensing Policy 2. The premises fall within the Holloway Road and Finsbury Park 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 heard evidence from the police that the premises were in an area with a high level of crime and disorder and that there were 12 other licensed premises within a 200 m radius. The Sub-Committee noted the police concerns that there was nothing in the application to show that the premises were not going to impact on the area.

The Sub-Committee heard evidence from the licensing authority that the applicant had not engaged with the authority and had not addressed the fact that the premises were in a saturation area. The Sub-Committee noted the concerns around street drinkers in the area.

The Sub-Committee heard from the applicant's representative that all conditions suggested were accepted as well as a reduction in the hours sought to 10 am rather than 8 am. The applicant's representative stated that an extensive operating schedule had been submitted including terms in relation to CCTV, training, Challenge 25, the keeping of an incident book, fire risk assessments and emergency plan and conditions regarding nuisance. A comprehensive set of conditions had been submitted and this demonstrated that the premises would not have a negative impact. The Sub-Committee noted that the applicant already has two licensed premises. The Sub-Committee heard that the premises were a small community store that was not alcohol led.

## **Licensing Sub Committee C - 2 May 2017**

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 8. However, the Sub-Committee was of the view that the applicant had failed to rebut the presumption that the application, if granted, would add to the cumulative impact area. The applicant did not show any exceptional circumstances as to why the Sub-Committee should grant the application.

The Sub-Committee concluded that granting the licence would add to the availability of alcohol in an area where there was already a large number of licensed premises with associated anti-social and criminal behaviour and therefore have a cumulative impact on the licensing objectives. The Sub-Committee was concerned about street drinking in the area and that, even with the change in hours sought, granting the licence would undermine the licensing objectives.

In accordance with licensing policy 2, the Sub-Committee was satisfied that the grant of the application would undermine the licensing objectives.

The meeting ended at 10.30 pm

**CHAIR**



Environment & Regeneration  
Municipal Office, 222 Upper Street, London, N1 1XR

Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	4 July 2017		Bunhill

Delete as appropriate		Non-exempt
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**Subject:** PREMISES LICENCE NEW APPLICATION  
FORA SPACE, GROUND FLOOR, 71 CENTRAL STREET,  
LONDON EC1V 8BU

### 1. Synopsis

- 1.1 This is an application for the variation of a premise licence under the Licensing Act
- 1.2 The premises currently holds a licence allowing:
  - i. Supply alcohol for consumption on and off the premises from 10:00 until 22:00 Monday to Sunday;
  - ii. Permit opening hours of the premises from 10:00 until 22:00 Monday to Sunday.
- 1.3 The variation application is to
  - i. To increase the terminal hour for the sale of alcohol by half an hour both on and off the premises to 10:00 until 22:30 Monday to Sunday;
  - ii. To increase the terminal hour for opening hours by an hour to 10:00 to 23:00 Monday to Sunday.

### 2. Relevant Representations

Licensing Authority	No
---------------------	----

Metropolitan Police	No
Noise	No
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes – 11 Local Residents
Other bodies	No

### **3. Background**

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

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

#### **3.2 The premises licence was granted on 13 October 2016.**

#### **3.3 The premises has been visited three times by the Licensing Team (10 March 17, 28 April 17, 8 June 17) and the premises was found to be complying with the conditions of the licence.**

### **4. Planning Implications**

#### **4.1 No adverse observations have been received from Planning regarding this application.**

### **5 Recommendations**

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

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

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

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

**6 Conclusion and reasons for recommendations**

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

**Background papers:**

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

**Final Report Clearance**

**Signed by**

  
Service Director – Public Protection

Date 22/6/17

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

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

WSK/170006984

Islington Council

Appendix: 1  
OK  
9/3/17**Application to vary a premises licence under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We Fora Space Limited*(Insert name(s) of applicant)*

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

**Premises licence number**

16944-131016

**Part 1 – Premises Details**

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

Fora Space  
71 Central Street

Post town

London

Postcode

EC1V 8BU

Telephone number at premises (if any)

Non-domestic rateable value of premises

£51,500.00

**Part 2 – Applicant details**Daytime contact  
telephone number

E-mail address (optional)

Current postal address if different  
from premises address

Fora Space Limited  
89 Wardour Street

Post town

London

Postcode

W1F 0UB

37065

£315 CH.001675

9/3/17

Page 16

1

OK Kmt  
9 March 17



### Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐  
No

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

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?  
(Please see guidance note 1) ☐ Yes ☒ No

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

The proposed variation is to extend the sale of alcohol from the current hours of Monday to Sunday 10:00 - 22:00 to the proposed hours of Monday to Sunday 10:00 - 22:30 in respect of the area marked A ('the restaurant area') only on the plan of the premises.

The opening hours in respect the area marked A ( 'the restaurant area) will be Monday to Sunday 10:00 - 23:00.

There are no changes to the hours of operation or opening hours for any other parts of the premises.

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

N/A

#### Part 4 Operating Schedule

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

##### Provision of regulated entertainment

Please tick all that apply

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

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

☐

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

☒

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

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)		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 3)			
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		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 3)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)			
Thur						

Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</u>
Sat			
Sun			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details (please read guidance note 3)</u>
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events (please read guidance note 4)</u>
Wed			
			<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 (please read guidance note 5)</u>
Thur			
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)			
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 (please read guidance note 5)</u>
Sat			
Sun			

F

<u>Recorded music</u> Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here (please read guidance note 3)</u>			
Tue						
Wed			<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u>			
Thur						
Fri			<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 (please read guidance note 5)</u>			
Sat						
Sun						

G

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

H

<b><u>Anything of a similar description to that falling within (e), (f) or (g)</u></b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)			
Wed						

Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</u>
Fri			
Sat			
Sun			
			<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 (please read guidance note 5)</u>

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>			
Mon						
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</u>			
Thur						
Fri			<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 (please read guidance note 5)</u>			
Sat						
Sun						



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)					
Mon	10:00	22:30						
Tue	10:00	22:30						
Wed	10:00	22:30						
Thur	10:00	22:30				<b><u>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</u></b> (please read guidance note 5)		
Fri	10:00	22:30						
Sat	10:00	22:30						
Sun	10:00	22:30						

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	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 5)
Tue	10:00	23:00	
Wed	10:00	23:00	
Thur	10:00	23:00	
Fri	10:00	23:00	
Sat	10:00	23:00	
Sun	10:00	23:00	

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

N/A

Please tick as appropriate

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

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

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

## M

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

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

Planning Permission has been granted for the extended hours and the 30 minutes extension for the sale of alcohol and 60 minutes extension just for the restaurant area only will not impact on the licensing objectives. All existing conditions and measures will remain place.

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

See a) above

**c) Public safety**

See a) above

**d) The prevention of public nuisance**

See a) above

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

See a) above

**Checklist:**


**Please tick to indicate agreement**

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

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

**Part 5 – Signatures** (please read guidance note 10)

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

Signature	
Date	8 March 2017
Capacity	Woods Whur 2014 Limited, Solicitors for the Applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

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

Andrew Woods  
Woods Whur 2014 Limited  
Devonshire House  
38 York Place

Post town	Leeds	Post code	LS1 2ED
Telephone number (if any)	0113 234 3055		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) andrew@woodswhur.co.uk			



woodswhur

Devonshire House  
38 York Place  
Leeds  
LS1 2ED

33 Cavendish Square  
London  
W1 0PLW

Tel: 0113 234 3055

info@woodswhur.co.uk  
www.woodswhur.co.uk

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

Our ref AW/CC/FOR003-1-7/2500

Your ref

08 March 2017

Dear Sirs

**Fora Space, 71 Central Street, London, EC1V 8BU**  
**Variation of Premises Licence**

We act on behalf of Fora Space Limited, the operator of these premises and we are instructed to submit an application to vary the premises licence.

Accordingly, please find enclosed the following:

- 1 Notice of application
- 2 Premises Licence
- 3 Cheque in the sum of £315.00

We confirm arrangements are being made for the public notice to be advertised in a local paper and displayed at the premises.

We should be obliged if you would acknowledge receipt of this letter and enclosure and if you require any further information, please contact Andrew Woods at this office.

Yours faithfully

*Woods Whur*

**Woods Whur**

Enc



## PREMISES LICENCE LICENSING ACT 2003

Premises licence number	16944-131016	Date of original grant*	13 October 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			
FORA SPACE 71 CENTRAL STREET			
Post town	London	Post code	EC1V 8BU
Telephone number			

Where the licence is time limited the dates
Not Applicable

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

The times the licence authorises the carrying out of licensable activities																												
<ul style="list-style-type: none"><li>The sale by retail of alcohol:</li></ul> <table><tr><td>Monday</td><td>10:00</td><td>to</td><td>22:00</td></tr><tr><td>Tuesday</td><td>10:00</td><td>to</td><td>22:00</td></tr><tr><td>Wednesday</td><td>10:00</td><td>to</td><td>22:00</td></tr><tr><td>Thursday</td><td>10:00</td><td>to</td><td>22:00</td></tr><tr><td>Friday</td><td>10:00</td><td>to</td><td>22:00</td></tr><tr><td>Saturday</td><td>10:00</td><td>to</td><td>22:00</td></tr><tr><td>Sunday</td><td>10:00</td><td>to</td><td>22:00</td></tr></table>	Monday	10:00	to	22:00	Tuesday	10:00	to	22:00	Wednesday	10:00	to	22:00	Thursday	10:00	to	22:00	Friday	10:00	to	22:00	Saturday	10:00	to	22:00	Sunday	10:00	to	22:00
Monday	10:00	to	22:00																									
Tuesday	10:00	to	22:00																									
Wednesday	10:00	to	22:00																									
Thursday	10:00	to	22:00																									
Friday	10:00	to	22:00																									
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Sunday	10:00	to	22:00																									

Gaming Machine Provision:
Not Applicable

The opening hours of the premises:																												
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Where the licence authorises supplies of alcohol whether these are on and/or off supplies
On and Off Supplies

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

Fora Space Ltd  
89 Wardour Street  
London  
W1F 0UB

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

09826907

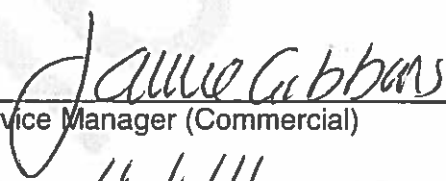
**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Liam Daniel Nelson  
Flat 16  
Northmills Apartments  
Lovelace Street  
London E8 4FE

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

LB Tower Hamlets - 17978

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

  
Service Manager (Commercial)

14/11/16  
Date of Issue



## **Annex 1 - Mandatory conditions**

1. No supply of alcohol may be made under the premises licence:
  - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
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](http://www.islington.gov.uk). This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

## **Annex 2 - Conditions consistent with the Operating Schedule**

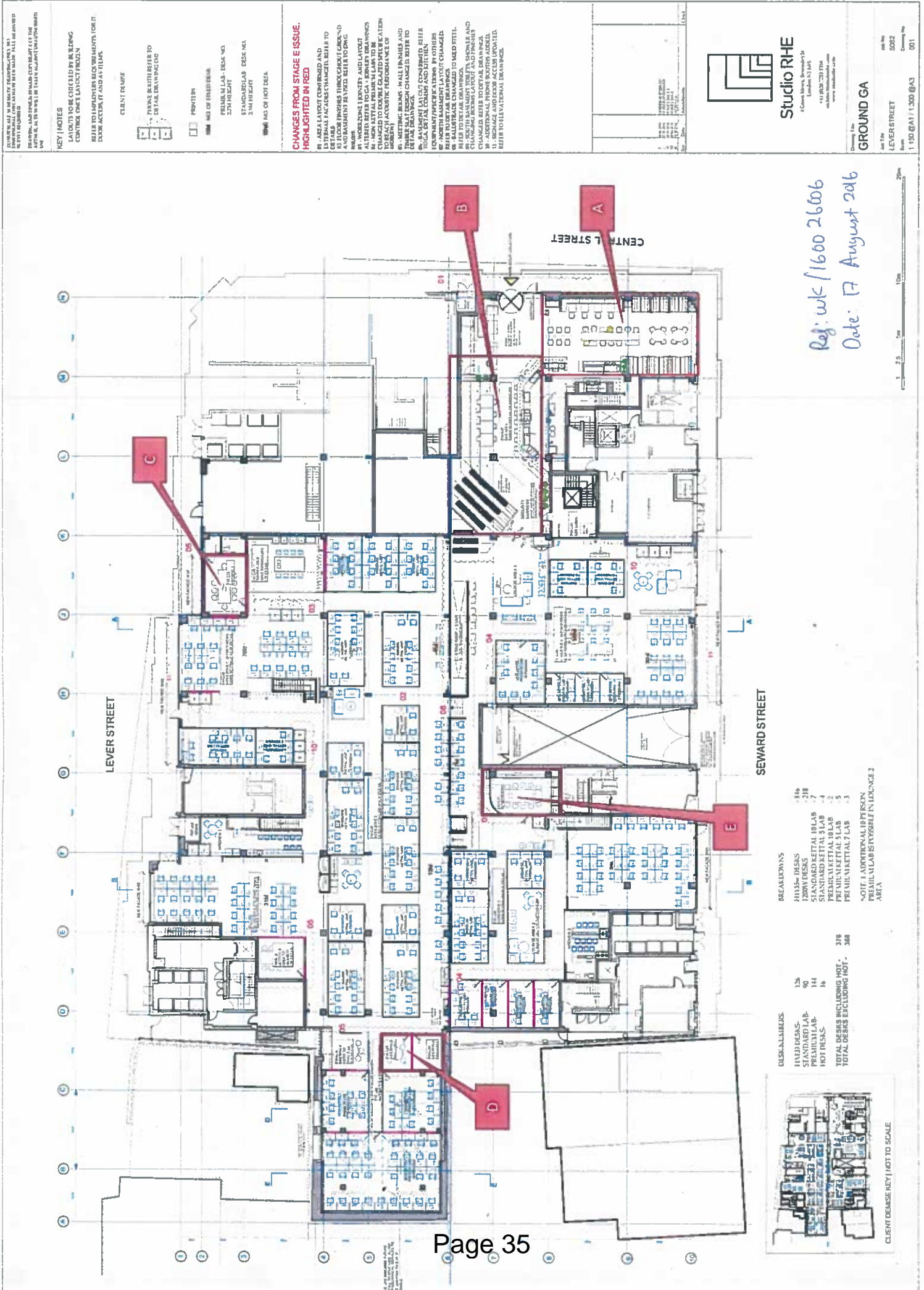
1. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The 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. There shall be no off sales other than to the area marked C, D and E on the attached plan ("the meeting room").
3. The provision of off sales as set out in condition 1 to the areas marked C,D and E will be ancillary to the office use of the premises and alcohol will only be provided by way of off sales to the following:
  - a. Office tenants - those persons with a minimum three month contract to occupy office space at these or other Office Group premises;
  - b. Club Room members - those persons who pay a minimum membership of £150 per calendar month;
  - c. Virtual office members - those persons who pay a minimum of £30 per calendar month and who pay a minimum charge of £10 per admission to the premises;
  - d. Persons attending a private pre-booked event or function, a list of functions to be kept at reception for inspection by the relevant authorities;
  - e. Directors and employees of the licence holder and its affiliated companies;
  - f. Persons who have pre-booked a meeting room and paid a minimum charge of £20 per visit;
  - g. Any guests of the above.

4. A list of the names and addresses of members shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.
5. The sale of alcohol in the area marked A will be to persons who are taking a table meal and ancillary to the table meal (the restaurant).
6. The sale of alcohol in the area marked B will be to a maximum number of 50 persons with seating provided all customers.
7. No drinks shall be taken outside the premises other than to any area licensed by Islington Council and to persons who are seated in such areas.
8. An area shall be identified for smokers outside the venue and smokers shall be monitored and encouraged not to cause noise disturbance and a maximum number of smokers set in relation to that area.
9. Dedicated licence taxi/mini cab service will be available within the premises for customers.
10. Signs shall be displayed at the exit reminding customers to leave quietly and respect the neighbours.
11. There shall be no waste collections or deliveries between 23.00 and 07.00 Mondays to Saturdays and none between 22.00 and 09.00 on Sundays and Bank Holidays.
12. There will be table service in the area marked A.
13. Alcohol sales in the area marked B shall only be to members of Fora and their guests.

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

**Annex 4 – Plans**

Reference Number: WK/160026006 Date: 17 August 2016



# KEY / NOTES

1. ALL WORK IS TO BE COMPLETED BY 15th AUGUST 2016.  
2. ALL WORK IS TO BE COMPLETED BY 15th AUGUST 2016.  
3. ALL WORK IS TO BE COMPLETED BY 15th AUGUST 2016.  
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## CLIENT REQUEST

1. ALL WORK IS TO BE COMPLETED BY 15th AUGUST 2016.  
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## PROVIDER

1. ALL WORK IS TO BE COMPLETED BY 15th AUGUST 2016.  
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10. ALL WORK IS TO BE COMPLETED BY 15th AUGUST 2016.

## CHANGES FROM STAGE E ISSUE, HIGHLIGHTED IN RED

1. ALL WORK IS TO BE COMPLETED BY 15th AUGUST 2016.  
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10. ALL WORK IS TO BE COMPLETED BY 15th AUGUST 2016.



Studio RHE

4 Cornhill Street, Birmingham B3 2LQ  
+44 (0)121 233 1744  
www.studiorehe.co.uk

GROUND GA

150 @ A1 / 1:300 @ A3

150 @ A1 / 1:300 @ A3

Ref: wk/1600 2606  
Date: 17 August 2016

DESK LABELS	DESKS
1200 DESKS	1200
STANDARD RETAIL 10 LAB	1200
STANDARD RETAIL 5 LAB	1200
PREMIUM RETAIL 10 LAB	1200
PREMIUM RETAIL 5 LAB	1200
PREMIUM RETAIL 7 LAB	1200
TOTAL DESKS INCLUDING HOT -	376
TOTAL DESKS EXCLUDING HOT -	368



CLIENT DEMSE KEY (NOT TO SCALE)

Williams, John

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From: [REDACTED]  
Sent: 01 April 2017 20:16  
To: Licensing  
Subject: Fora space

Re application for license

Extension by Fora at central street EC1V 8BJ Dear sirs I would like vigorously object to yet another application for license extension. I was at the hearing in 2016 when we were given assurances that there would be no come back for more license extensions. There were several conditions applied to the previous license that are not mentioned in the application. We have tried to be friendly and understanding but there needs to be consideration for the residents here as well. We are tired of being plied with these requests. There are children in the surrounding flats and many of people live just 3 m above Fora and will be disturbed by the noise. We do not want more drinking and smoking outside our homes and things will likely get worse not eh summer. We requests that this application is turned down on the basis of noise and that they already have sufficient license for food and drinks.

Yours sincerely

[REDACTED]

**Williams, John**

---

**From:** [REDACTED]  
**Sent:** 07 April 2017 11:51  
**To:** Licensing  
**Cc:** Tomashevski, Katie  
**Subject:** RE: Objection New Application: Fora Space, 71 Central Street, Islington, London, EC1V 8BU Ref:WK170006984

Dear Licensing Committee,

I object on my and on behalf of Worcester Point Residents Association (WPRA) to the licensing variation application by Fora Space (WK170006984):

- 1) to extend the hours of the sale of alcohol until 22:30
- 2) to extend the sale of alcohol off the premises above than alcohol sale to Fora members and their guests.

On 13 October 2016 the Licensing Sub-Committee D gave licensing permission to supply alcohol for consumption on and off the premises from 10 am to 22 pm Monday to Sunday with permission for opening hours until 22 pm and with condition that off the premises sale should be only to Fora members and their guests. The reason of restriction in the letter (20 October 2016, WK/160026006) was given as "The Sub-Committee was concerned about the negative impact of the licensing objectives of the noise and public nuisance given the close proximity of residential premises with children."

Since the last decision (13 Oct 2016) the close proximity of residential premises with children has not changed, neither have the crime and disorder and public nuisance incidents improved on Central Street in front of Worcester Point (the immediate neighbourhood for above application). None of our points in our original objection (see below this email) has been changed.

In fact, staff and guests of Fora space (Palatino restaurant) have been gathering in front of the restaurant's door, next to main entrance door to Worcester Point, smoking and speaking loudly adding to the already high noise pollution affecting the residents and also littering the street since the opening of the restaurant in December 2016. The negative effect on residents will be even greater in the summer months when residents have their windows open.

If the application for extended hours/condition would be successful this time then Fora would very likely to apply for even later opening hours.

We urge the Licensing Committee to refuse this application and stick to their own decision (just about six months ago) made on the basis of the council's existing policies.

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 04 September 2016 20:04  
**To:** licensing@islington.gov.uk  
**Subject:** Objection New Application: Fora Space, 71 Central Street, Islington, London, EC1V 8BU

I object on my and on the behalf of Worcester Point Residents Association (WPRA) to extended hours, late night opening, recorded music and off premises licence in the Licence Application by Fora Space, 71 Central Street, Islington, London, EC1V 8BU.



This letter represents the views of those members of the WPRA whose opinions we were able to canvass and should be read in conjunction with any separate letters of objection or support that individual residents may submit.

Planning permission for P2015/4230/FUL (Change of Use of ground floor and part basement level from conference centre (Sui Generis) to office (B1a) use, with associated flexible A1/A3 use at ground floor) was granted on 10 December 2015 subject to several conditions.

Condition 9 concerns the opening hours of A1/A3 unit and states:

"The ground floor unit (A1/A3) hereby approved shall not operate except between the hours of 07:00 and 22:00 on any day unless otherwise agreed in writing with the Local Planning Authority. REASON: To ensure that the operation of the unit do not unduly impact on residential amenity, and to ensure the operation of any café/restaurant units do not unduly and/or cumulatively impact on the amenity of neighbouring residential amenity, in accordance with Policy DM4.2 of the Islington Development Management Policies 2013."

Current application, even before construction work finished, contrary to the planning committee decision, asks for opening hours until 00:00 Monday to Saturday and until 23:00 on Sunday, with "on" and "off" alcohol consumption, including recorded music and showing film, until 23:30 and 22:30 respectively, and late night refreshment until 00:00 Monday to Saturday.

Licence, should it be granted for the asked times, recorded music and "off" alcohol consumption would have adverse impact on residents (many of them children). Bedroom/living room windows of several apartments within the building (which is residential floor 1 to 6) are just about 3.5 metres above the premises, and potentially could cause public nuisance.

To grant licence for the asking extended hours and late night would be in breach of the Licensing Act 2003 and Islington Council's own Licensing Policy (most relevant ones are listed below):

- **Licensing Act 2003, 2015 Guidance**

13.58 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

- **Islington Council Licensing Policy 2013-2017**

Licensing Policy 1: Licensing Authority will take into account: whether the premises is located in an area of cumulative impact;

Licensing Policy 2: The Licensing Authority has adopted a special policy relating to cumulative impact in relation to: Bunhill

Licensing Policy 4: The Licensing Authority is concerned about the adverse impact on the licensing objectives arising from the increasing numbers of shops selling alcohol for consumption off the premises. The Licensing Authority will consider restricting the number of premises and the licensing hours in locations where representations are received and that longer hours will undermine the licensing objectives.

Licensing Policy 6: The Licensing Authority expects applicants to ensure that they have planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence.

53. The Planning Consent for a premise determines its use and the hours of operation. ...

**Licensing Policy 18:**

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

**We also request cafe owners / managers to hold 6 monthly meetings with residents/neighbours - to ensure proper management of the site.**

[REDACTED]

[REDACTED]

[REDACTED]

## Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application please use this form to help you.  
Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

Premises Name and address Fora Space, 71 Central Street  
EC1V 8BU

Your Name: [REDACTED]

Interest: Home owner and resident

(E.g. resident, business, TRA Chair, Councillor, solicitor)

Your Address: [REDACTED]

Email: [REDACTED]

Telephone [REDACTED]

Please comment on the licensing objectives below relevant to your concerns or observations, you may also wish to include suggestions how your concerns could be addressed:

### Public Nuisance

Substantial amount of nuisance has been recorded since opening of the restaurant/bar of Fora Space. In particular, a large number of customers leaving the restaurant at or around 10 am and the taxi drivers waiting for them further increased the noise at nights.

In addition, Fora's own staff <sup>has</sup> caused significant nuisance. It should be noted that these premises are located at cumulative impact area. Please see my attached letter for further details.

### Crime and Disorder

In recent days, the number of crime/disorder incidents observed in Central Street increased. This is mainly due to the pubs and bars serving alcohol till very late times.

Please see my attach for further details



**Protection of Children from Harm**

**Public Safety**

The customers of Fora Space (including its own staff) are standing in front of entrances to our buildings. In certain occasions, it has been noted that the doors were left open.

Please see my attached letter for further details

I wish my identity to be kept anonymous Yes ☒ No --

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

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

Signature 

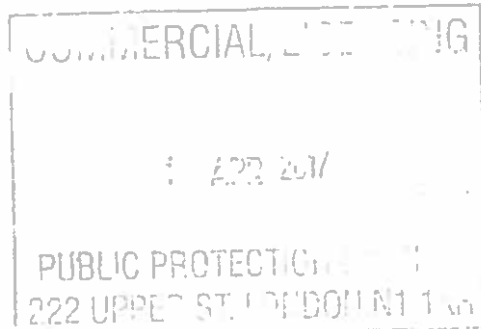
Date 7 April 2017

**Please ensure name and address details completed above**

**Return to:**

Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street  
London N1 1XR  
[licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

**or send by email to:**



Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street  
London N1 1XR

Re: Fora Space, 71 Central Street, London, EC1V 8BU, response to Letter ref: WK170006984

Date: 7 April 2016

Dear Sirs,

I am writing to you as a flat owner and a resident at Worcester Point with regard to your Letter ref: WK170006984 which acknowledges that a request for an extension of the current license made in respect of the foregoing premises.

I strongly object to this planning application for the reasons set out below.

Firstly, the planning application relates to the premises which are located within the Bunhill Fields Conservation Area. There will potentially be a detrimental effect upon the amenity of the area in terms of noise, nuisance and disturbance due to the new license application hence this planning application which seeks to extend the sale of alcohol hours adds to the cumulative impact and threatens the residential character of the area. An increase in the alcohol sale hours will no doubt increase the noise and disturbance caused to the residents and will create a precedent for the other premises in Central Street and Bunhill Fields Conservation Area which will in turn have a cumulative impact to the whole area.

This concern has been raised by a large number of residents numerous times during the previous planning and license applications made by Fora Space Limited ("Fora"). Accordingly, Fora amended its previous application and sought for a license approval strictly on the basis of reduced sale of alcohol from 10 am to 10pm. Similarly, during the license hearing held on 13 October 2016, the Sub-Committee underlined that the longer alcohol sale hours would likely to add to the cumulative impact considering that the residents and families with young children live only three meters away from the Fora's entrance. This is well-recorded in the minutes of the 13 October 2016 meeting which also notes that no proper investigation as to the noise levels, amount of people smoking near the premises, and the volume of the pedestrian flow have been made by the applicant. For this reason, the Sub-Committee granted the license permit on the basis of a strictly limited 10 am until 10 pm alcohol sale hours.

License previously granted on the basis of a large number of conditions and there is no reference in Fora's new application to these conditions such as no sale of alcohol to non-members in the bar area or the limitation of the 'off premises' for the consumption of alcohol. It is noted that the existing license is for the 'on and off premises' whilst the description of the 'off premises' has been well-

defined for the existing license, it is not clear from this application whether the same definition would apply. It is extremely important that all caveats/restrictions to Fora's existing license are maintained.

Having observed the restaurant as a resident of the Worcester Point and having been to Fora's restaurant; please see the acts and omissions below which are all collectively against the conditions of the existing license and /or the requirements of operating a restaurant /bar in a special policy area, in particular, the Bunhill and Clerkenwell Cumulative Impact Area of Islington:

- Fora's staff consuming alcohol outside the restaurant at the street as late as midnight.
- Fora's staff smoking and speaking loudly under our balconies as late as midnight.
- Fora's customers and staff who stand in front of our building entrances blocking our entrance and also leaving their cigarette ends/butts in front of our entrance door. Having a large number of non-residents in front of our building entrance may cause potential risks for the public's safety.
- Fora's customers consuming alcohol after 11 pm (i.e. after the license operation hour of the restaurant)
- Fora serving alcohol in the bar area to the customers of the restaurant which are clearly not members of Fora.
- Drinks are served to non-seated customers and the customers walk around the bar and restaurant area with their drinks.
- Fora's staff leaving their non-sealed bin bags next to our entrance doors which stay there for days.
- Fora's failure to identify and maintain a dedicated smoking area next to the entrance of its restaurant although it was recorded during the 13 October 2016 license hearing that this was essential for reducing the nuisance to the residents.
- The cab drivers waiting the Fora staff at nights causing noise nuisance.
- Fora is not closing the restaurant exactly at 11pm.
- The trucks delivering the goods for Fora blocking the disabled parking space.
- Fora's staff storing significant amount combustible material such as coal outside the restaurant next to the people smoking. This imposes a risk on the public's safety.

Attached photographs are a number of documentary evidence of these incidents. CCTV records of Worcester Point and witness testimony can also be provided.

These events continue despite the fact that a number of staff of Fora and its customers have been personally warned about this various times.

Secondly, taking into account that residential nature of the Central Street; the longer alcohol sale hours would cause unreasonable interference with the public's enjoyment of their homes. This is because, at present, most of the customers start leaving the restaurant around 10pm and there is a period of 1 hour to reduce the number of group of leaving all at the same by using one single entrance door. The new proposal will reduce this to only 30 minutes and the customers are likely to leave at later than 10.30pm. Similarly, in the previous license hearing, the Sub-Committee also noted the high level of noise that will be created by Fora's customers given the close vicinity of residential premises and pointed out the importance of limited operating hours to minimise this.

Thirdly, there were frequent crime and disorders incidents on Central Street recently. For example, on 1 April 2017, the police officers had to take a number of drunk customers out of a pub and these customers were still shouting outside the pub as late as 1.30am. For this reason, it is important to control the alcohol related violent behaviour and there should be a strict consultation with the police for extending any alcohol license.

Apart from the foregoing concerns, as the residents of the Worcester Point, we were given a number of promises by Fora, such as corporation with the residents, after the recent license application hearing however Fora has made two applications in respect of its operating hours and license hours within a period of 6 months. Hence, we question the motive behind the acts and statements of Fora considering their original license application was for even longer operating hours. It appears that Fora will constantly issue new applications in a piece-meal manner until all their applications in one-way or another are approved. As the residents, we believe that the LB of Islington will put this to end by maintaining its previous decision which has set the sale of alcohol hours to 10am-10pm.

To sum up, I have serious concerns that Fora's new application will have a detrimental impact upon residential amenities and result in increased amount of public nuisance, risks on the public safety and the crime and disorder in Central Street.

Kind regards,

[Redacted signature]

[Redacted line]

[Redacted line]

[Redacted line]







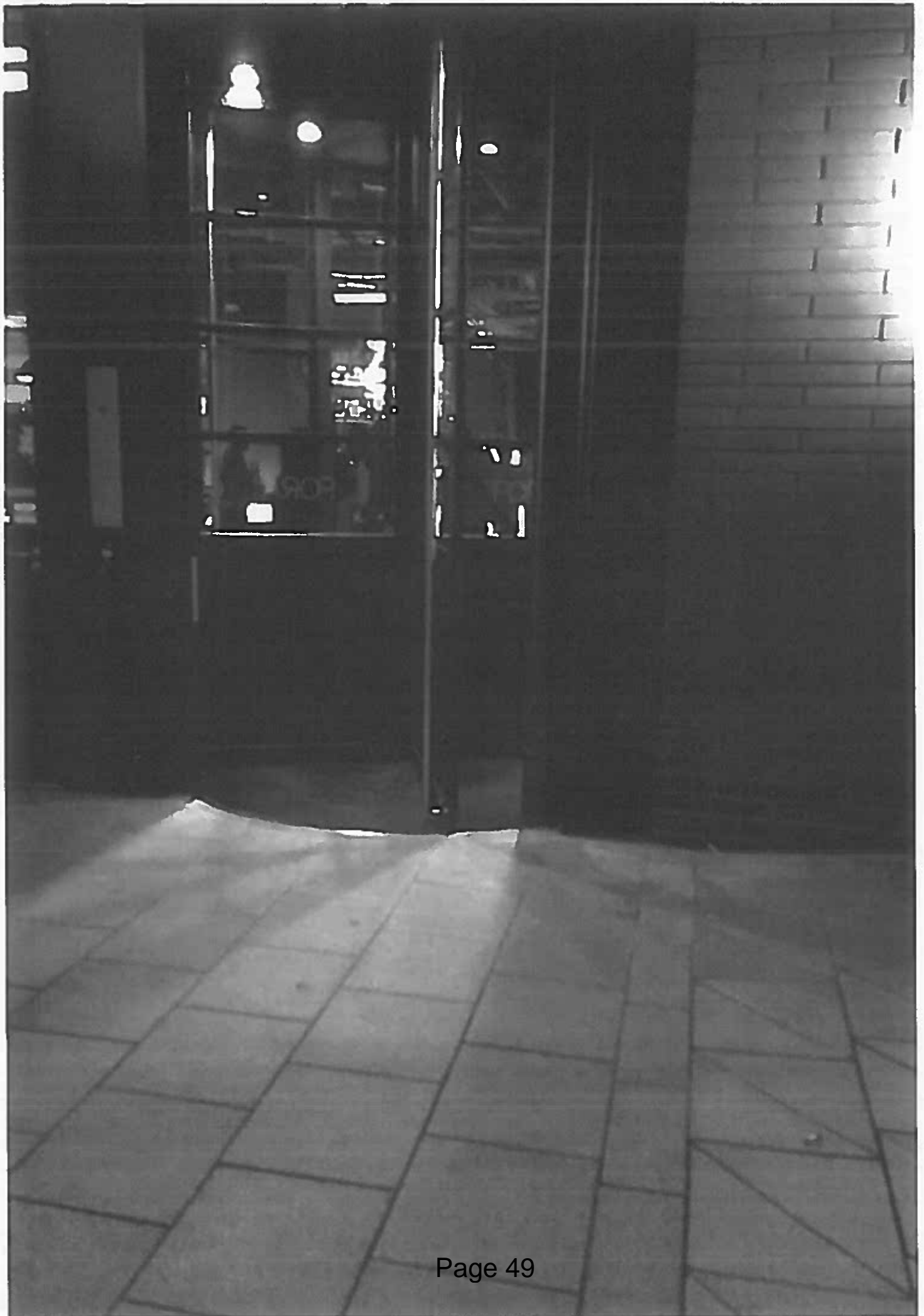


























**Williams, John**

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**From:** [REDACTED]  
**Sent:** 08 April 2017 11:18  
**To:** Licensing  
**Subject:** WK170006984. - Fora space 71 Central street, ec1v8BU, licensing application  
Objection deadline

Dear Katie/Licensing Service

I write to object to the licence application variation from fora space.

The grounds for my objection are the prevention of public nuisance and the protection of children from harm.

The circumstances have not changed since the previous licence application was put to the council i.e. the close proximity of residential homes. Also, since the opening of the restaurant last December, we have already experienced several times staff and guests gathering around the entrance smoking and loudly speaking which in the summer months, when windows are kept open, will be unbearable for residents above.

Although my family and infant son are, luckily, on the other side of the building on 1st floor, the category of "residents above" does include young children and infants and this is the reason why I have taken the time to express my objection, and that of my family. I can only hope the financial interests of the leaseholder are allowed to trump the health (and safety) of vulnerable residents.

Sincerely yours,

[REDACTED]

Williams, John

From: [REDACTED]  
Sent: 09 April 2017 16:49  
To: Licensing  
Subject: Application for extended licensing hours. Ref: WK170066984

Dear Sir or Madam

Palatino- Fora Space, 71 Central Street, Islington, London, EC1V 8BU – Licensing Application Ref: WK170066984

I am writing to OBJECT to the Licence Application by Fora Space, for 71 Central Street, Islington, London, EC1V 8BU to extended licensing hours.

First and foremost nothing has happened since the Licensing Committee's decision in October 2016 which would justify to change the Committee's decision not to allow extended licensing hours.

This objection is made in accordance with your guidance on grounds of:

The prevention of crime and disorder.

The prevention of public nuisance

Public Safety

The protection of children from harm

Planning permission for P2015/4230/FUL was granted on the change of use to a restaurant subject to several conditions and all these conditions should continue to be upheld.

To grant this application would have adverse impact on residents who live in Worcester Point, Dance Square and those along both Seward Street and Central Street. This is primarily a residential area with numerous family homes with children. In Worcester Point itself many of the flats have bedrooms, living areas and balconies directly above the restaurant and many of the Dance Square family homes are directly across the road from the premises in question. The noise level in the street has already increased with the extra footfall from customers and staff and from increased traffic flow from drop-offs and pick-ups. If the licensing hours were to be extended beyond the current evening restriction of 22.00 this is likely to cause late night disturbances to residents. Extended licensing hours may cause public nuisance and higher incidences of crime and disorder. Large gatherings of people outside the licensed premises later at night may cause concern for public safety for both adults and children resident in the area.

The Condition (9) that you have applied to the change of use in the above planning application concerns the opening hours of A1/A3 units and states:

"The ground floor unit (A1/A3) hereby approved shall not operate except between the hours of 07:00 and 22:00 on any day unless otherwise agreed in writing with the Local Planning Authority. REASON: To ensure that the operation of the unit do not unduly impact on residential amenity, and to ensure the operation of any café/restaurant units do not unduly and/or cumulatively impact on the amenity of neighbouring residential amenity, in accordance with Policy DM4.2 of the Islington Development Management Policies 2013."

This current application, even before construction work finished, is contrary to the planning committee decision and asks for opening hours until 00:00 Monday to Saturday and until 23:00 on Sunday, with "on" and "off" alcohol consumption, including recorded music and showing film, until 23:30 and 22:30 respectively, and late night refreshment until 00:00 Monday to Saturday.



***To grant extended hours to this restaurant would be in breach of the Licensing Act 2003 and Islington Council's own Licensing Policy (most relevant ones are listed below):***

***Licensing Act 2003, 2015 Guidance***

***13.58 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.***

***Islington Council Licensing Policy 2013-2017***

***Licensing Policy 1: Licensing Authority will take into account: whether the premises is located in an area of cumulative impact;***

***Licensing Policy 2: The Licensing Authority has adopted a special policy relating to cumulative impact in relation to: Bunhill***

***Licensing Policy 4: The Licensing Authority is concerned about the adverse impact on the licensing objectives arising from the increasing numbers of shops selling alcohol for consumption off the premises. The Licensing Authority will consider restricting the number of premises and the licensing hours in locations where representations are received and that longer hours will undermine the licensing objectives.***

***Licensing Policy 6: The Licensing Authority expects applicants to ensure that they have planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence.***

***53. The Planning Consent for a premise determines its use and the hours of operation. ...***

***Licensing Policy 18:***

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

***I would urge you to reject this application and maintain your original decision of six months ago to limit licensing hours for the above mentioned property.***

***Yours sincerely***

[Redacted signature]

[Redacted text]

Williams, John

---

From: [REDACTED]  
Sent: 10 April 2017 14:42  
To: Licensing  
Subject: Licence Application Variation WK170006984 - objection

Dear Sir or Madam,

I am submitting an objection to the application made by Fora Space, 71 Central Street, Islington, London, EC1V 8BU, to extend their alcohol sales hours until 10.30pm, 7 days a week (ref WK170006984 Licence Application Variation), as per the letter received from you by the residents of Worcester Point EC1V 8BJ.

The council has recently approved the latest in the bombardment of planning applications made by Fora Space (P2016/4469/FUL), that extends opening hours in the restaurant to 11pm.

Since the restaurant opened in December the residents facing Central Street have already experienced negative impact on our lives, as we predicted we would in our objections to earlier planning proposals. Each night, people stand in groups and smoke and chatter directly beneath our bedroom windows, getting increasingly louder with each drink taken. These are the only windows we have so we should not reasonably be expected to have them closed permanently, and whilst closing them cuts out the smoke, the noise nuisance is muted but not removed. The fact that Fora Space allows this to happen shows how little consideration they have for the welfare of their neighbours.

In the approval of the planning application in October 2015 (P2015/4230/FUL) it was stipulated in Condition 9 that the approved hours until 10pm were "to ensure the operation of any cafe/restaurant units do not unduly and/or cumulatively impact on the amenity of neighbouring residential amenity (sic), in accordance with Policy DM4.2 of the Islington Development Management Policies 2013." The council has ignored their own policy and approved hours until 11pm in the latest planning application (P2016/4469/FUL). Serving alcohol until only the current allowed time of 10pm at least means that by 11pm the street has started to quiet down and residents can get to sleep. Extending alcohol sales to 10.30pm will encourage patrons to stay longer and extend the noise nuisance and second-hand smoke inhalation. We are also fearful that this is just part of a slow creep by Fora Space towards a midnight or early hours alcohol sales licence, followed by a licence for outdoor seating and serving of alcohol.

I was disappointed to read in the approval of planning application P2016/4469/FUL that the council believed a precedent already existed for long opening hours. The previous occupants of the space, the conference centre, held evening and late evening events as an exception, and the premises were on Lever Street. I fail to see how this is equivalent to a restaurant operating 7am to 11pm every day on a different street. Now residents of Central Street, in addition to all the other anti-social noise pollution inflicted on us in this location, can look forward to this additional nuisance 7 nights a week, 52 weeks a year. It is a distressing turn of events for everyone living here.

I write this objection with no hope whatever of it being heeded. In all of the 29 "consultations" I have received since living here, the number decided in favour of residents is.....ZERO.

Yours sincerely,

[REDACTED]

REP 7

**Williams, John**

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**From:** [REDACTED]  
**Sent:** 10 April 2017 22:10  
**To:** Licensing  
**Subject:** Premises License Application Variation - Fora Space, 71 Central Street, EC1V 8BU

Dear Sir or Madam,

I am writing to object to the application to vary the license at Fora Space, 71 Central Street, EC1V 8BU.

The planning permission for the above (P2015/4230/FUL) was granted subject to several conditions. Condition 9 concerns the opening hours of A1/A3 unit and states:

"The ground floor unit (A1/A3) hereby approved shall not operate except between the hours of 07:00 and 22:00 on any day unless otherwise agreed in writing with the Local Planning Authority. REASON:

To ensure that the operation of the unit do not unduly impact on residential amenity, and to ensure the operation of any café/restaurant units do not unduly and/or cumulatively impact on the amenity of neighbouring residential amenity, in accordance with Policy

DM4.2 of the Islington Development Management Policies 2013."

Should the license be granted for the asked times and on- and off-premises alcohol consumption, it would have adverse impact on residents (many of them children). Bedroom/living room windows of several apartments within the building (which is residential floor 1 to 6) are just about 3.5 metres above the premises, and potentially could cause public nuisance.

To grant licence for the asking extended hours and late night would be in breach of the Licensing Act 2003 and Islington Council's own Licensing Policy (most relevant ones are listed below):

Licensing Act 2003, 2015 Guidance

13.58 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

Islington Council Licensing Policy 2013-2017

Licensing Policy 1: Licensing Authority will take into account:  
whether the premises is located in an area of cumulative impact;

Licensing Policy 2: The Licensing Authority has adopted a special policy relating to cumulative impact in relation to:  
Bunhill

Licensing Policy 4: The Licensing Authority is concerned about the adverse impact on the licensing objectives arising from the increasing numbers of shops selling alcohol for consumption off the premises. The Licensing Authority will consider restricting the number of premises and the licensing hours in locations where representations are received and that longer hours will undermine the licensing objectives.

Licensing Policy 6: The Licensing Authority expects applicants to ensure that they have planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence.

**53. The Planning Consent for a premise determines its use and the hours of operation. ...**

**Licensing Policy 18:**

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

**Yours sincerely,**

[Redacted signature]

[Redacted name]

**Williams, John**

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**From:** [REDACTED]  
**Sent:** 10 April 2017 22:12  
**To:** Licensing  
**Subject:** Objection to Fora Space

Hi - I object to the extended hrs application for Fora space. Nothing has changed since the last application. This is still a residential neighbourhood and there are families living above the restaurant....thanks [REDACTED]

[REDACTED]

[REDACTED]

REF 9.

**Williams, John**

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**From:** [REDACTED]  
**Sent:** 10 April 2017 23:34  
**To:** Licensing  
**Subject:** Objection to Fora application for extension to current licensing hours - Worcester Point, Central Street, London EC1V 8AZ  
**Attachments:** IMG\_20170405\_125509.jpg; IMG\_20170405\_125528.jpg; IMG\_20170410\_173753.jpg; IMG\_20170410\_231340.jpg

Dear Sirs,

We wish to register our strong **OBJECTION** to the latest request made by Fora to extend their current licensing hours from 22.00 to 22.30, and to seek to vary the definition of 'off premises' as it applies to the licensed location. The grounds of our objection are as follows:

- This is the latest in a series of similar applications from Fora to keep extending their licensing hours. These have already been considered at length by Islington Council, who have previously decided to only grant a licence until 22.00 and to require Fora to meet a number of conditions given the residential nature of their immediate environs. This decision was only made four months ago. Since this license was granted we can see no changes that would warrant this further application by Fora, and as such we encourage Islington Council to stand by its latest decision and accompanying conditions, and to request that Fora desist from making any further vexatious applications which spuriously take up Council officers time.
- The potential for the licensed premises to include outside dining is unacceptable. The additional noise made by late night drinkers directly underneath residential flats will severely erode the residents rights to the quiet enjoyment of their homes.
- We are particularly concerned about the dangers of passive smoking that are already arising from the licensed premises. The current designated smoking point is in the area immediately outside the licensed area, and as such would have to move were this area to be annexed for outside dining. The first attached photo shows the current smoking point as it was located on April 5th. The second photo, also taken on April 5th, shows two diners smoking directly adjacent to the residents entrance door to their flats. The third photo taken today shows that Fora have now moved their smoking point to be closer to the residents entrance than to their own - and have put it immediately next to a bin store, the safety implications of which are obvious. The result is the last photo, taken this evening, which shows the volume of cigarette butts discarded immediately outside the residents (our) front door. Many of the worst offenders are in fact not the diners, but the restaurants own staff. It is a pretty clear statement of the contempt that Fora feels towards the residents of the block that it discourages its staff from smoking outside its own premises, and instead gets them to go down the street to smoke outside our front door; it is not acceptable to have to ask three days in the same week a chef smoking a cigarette to move away from our entrance door so we can get access to it, and on the second such incident to have him deliberately blow smoke in our faces. This situation will only be made worse if dining is permitted outside on the pavement, and we object to any such increase in off premises licensing in the strongest possible terms.

**We hope that the Council finds the above comments and evidence of use, and would be very happy to discuss them further with you.**

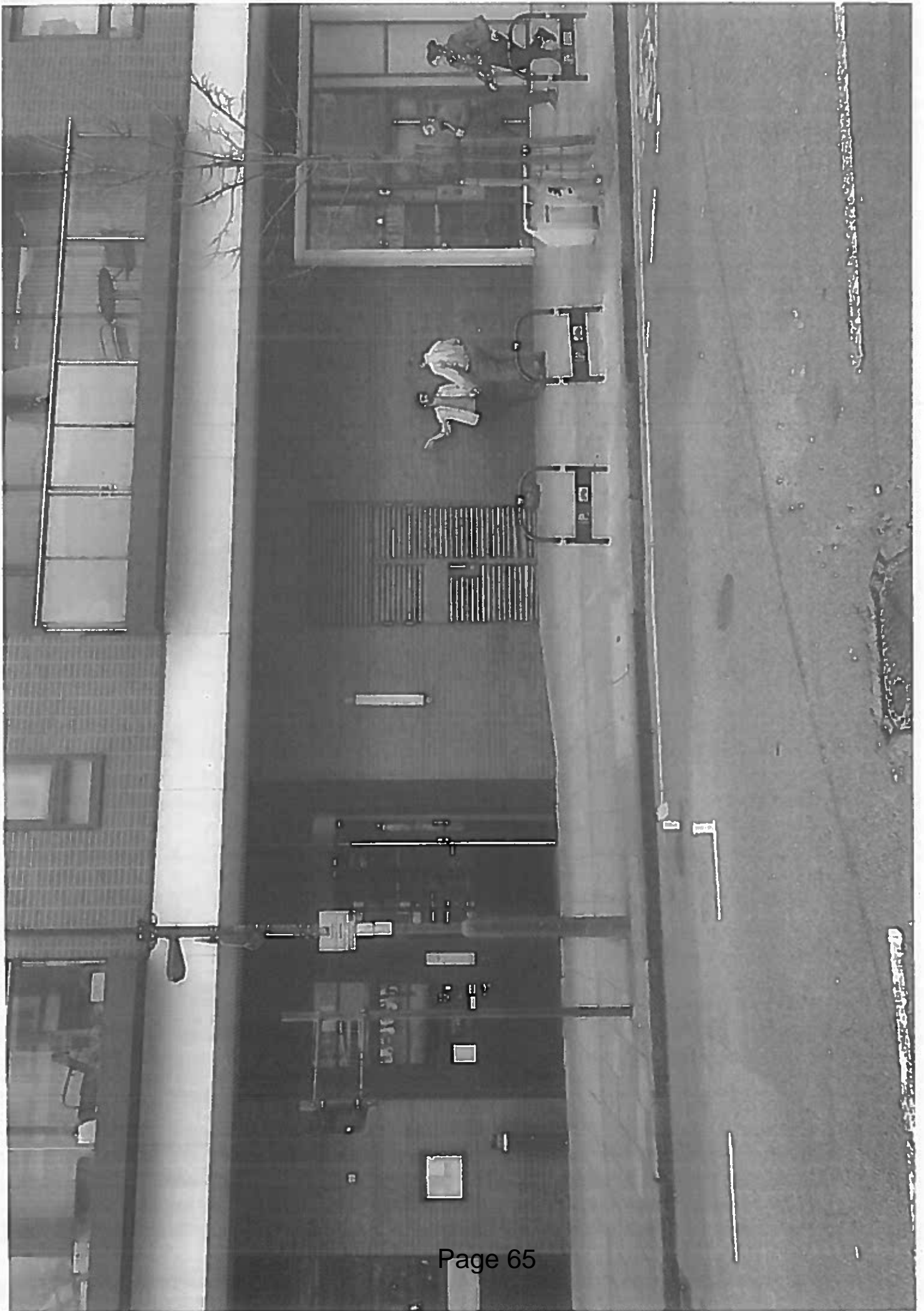
**With many thanks for your time and support,**

**[REDACTED]**

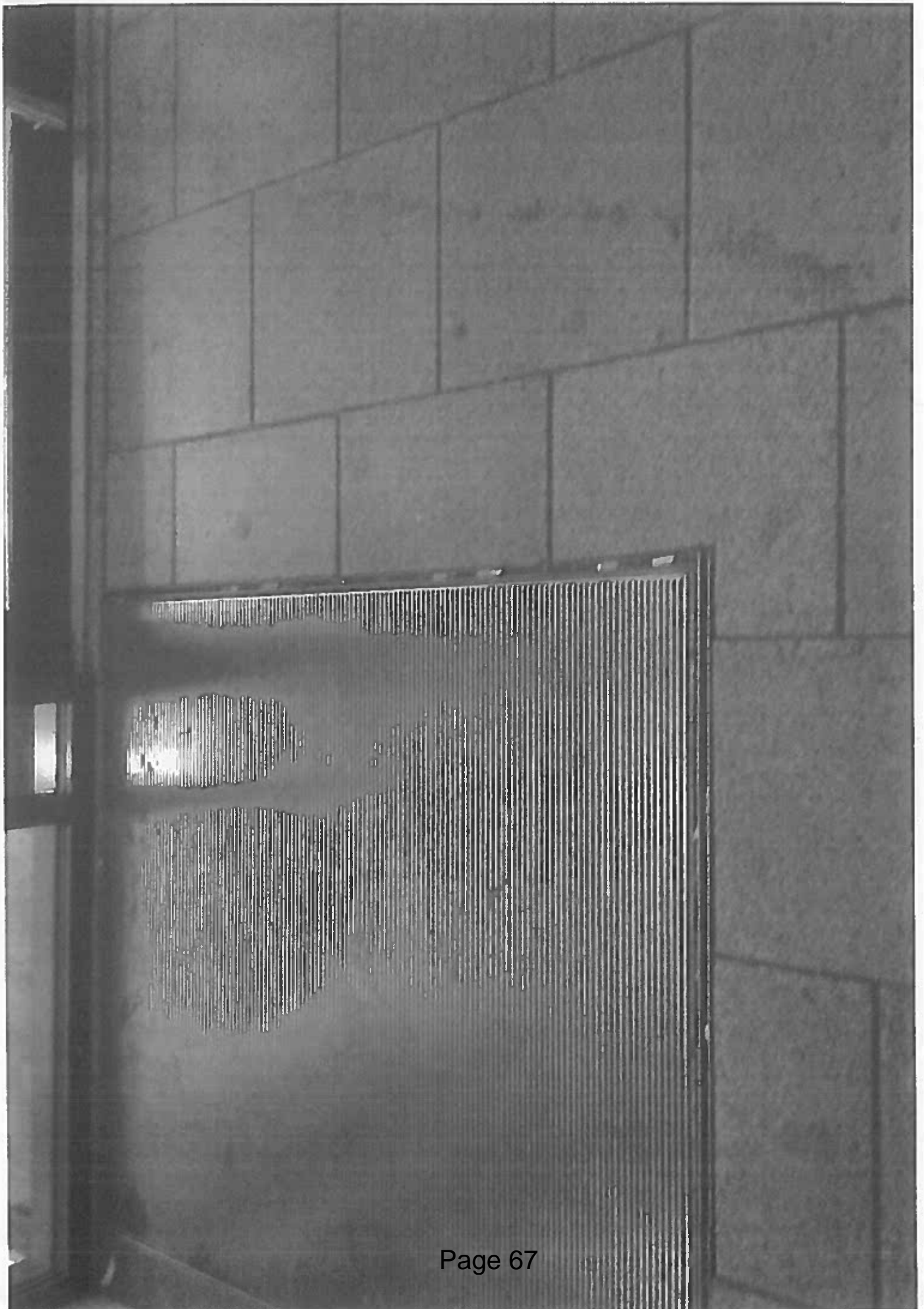












REP 9A

**Williams, John**

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**From:** [REDACTED]  
**Sent:** 11 April 2017 11:59  
**To:** Licensing  
**Subject:** Re: Objection to Fora application for extension to current licensing hours - Worcester Point, Central Street, London EC1V 8AZ  
**Attachments:** IMG\_20170411\_113921.jpg

Dear Sirs,

Further to our email last night, the attached photo taken 15 minutes ago clearly shows 4 of Fora's restaurant team again smoking directly outside our front door. Again we make the point that any grant of off premises dining on the street in front of the current dining room will make this situation worse, with the chefs and staff being joined by diners and users of the Fora communal work space all smoking directly outside our door.

Many thanks for you help,

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 10 April 2017 22:33  
**To:** [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)  
**Subject:** Objection to Fora application for extension to current licensing hours - Worcester Point, Central Street, London EC1V 8AZ

Dear Sirs,

We wish to register our strong **OBJECTION** to the latest request made by Fora to extend their current licensing hours from 22.00 to 22.30, and to seek to vary the definition of 'off premises' as it applies to the licensed location. The grounds of our objection are as follows:

- This is the latest in a series of similar applications from Fora to keep extending their licensing hours. These have already been considered at length by Islington Council, who have previously decided to only grant a licence until 22.00 and to require Fora to meet a number of conditions given the residential nature of their immediate environs. This decision was only made four months ago. Since this license was granted we can see no changes that would warrant this further application by Fora, and as such we encourage Islington Council to stand by its latest decision and accompanying conditions, and to request that Fora desist from making any further vexatious applications which spuriously take up Council officers time.
- The potential for the licensed premises to include outside dining is unacceptable. The additional noise made by late night drinkers directly underneath residential flats will severely erode the residents rights to the quiet enjoyment of their homes.
- We are particularly concerned about the dangers of passive smoking that are already arising from the licensed premises. The current designated smoking point is in the area immediately outside the licensed area, and as such would have to move were this area to be annexed for outside dining.

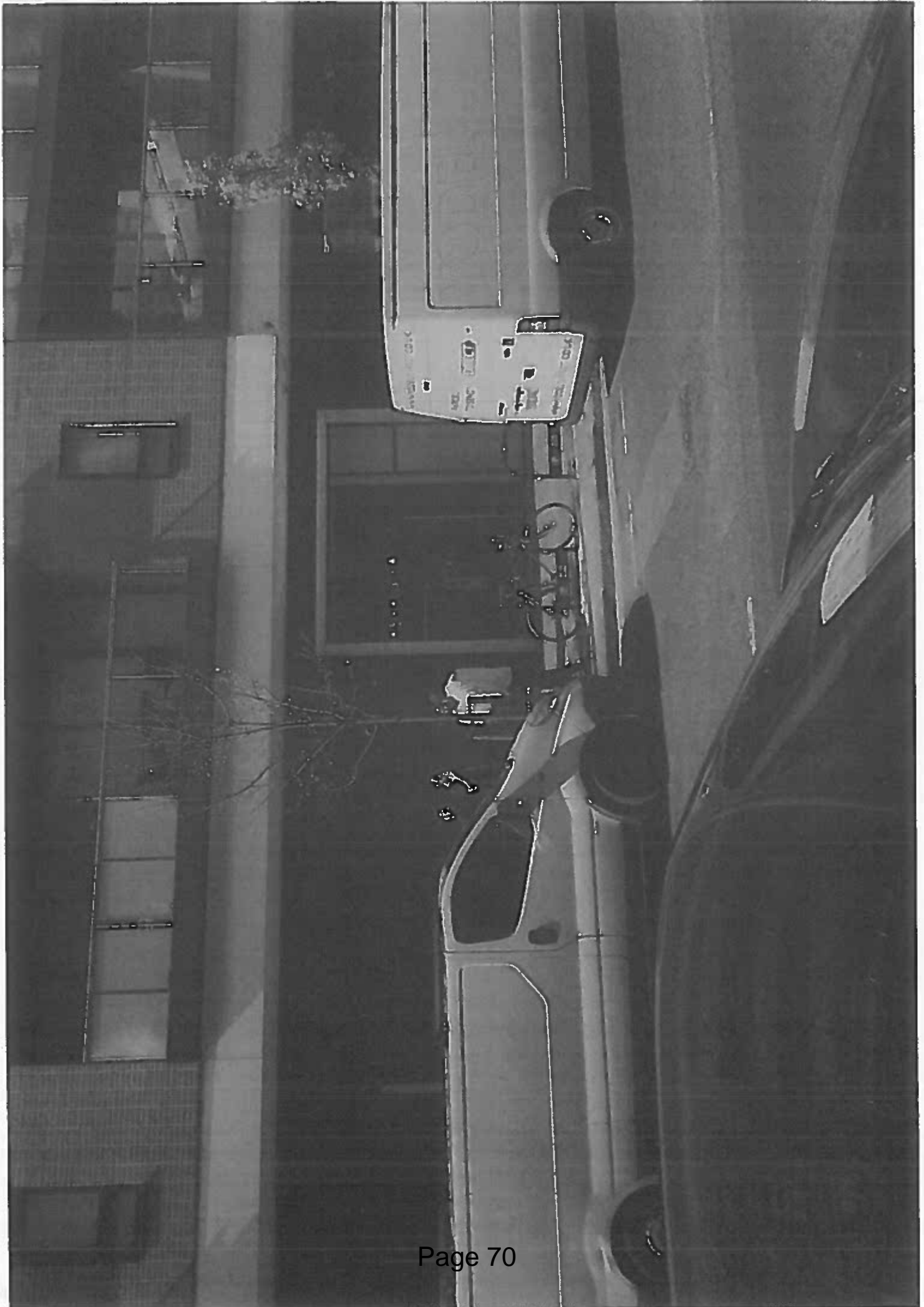


The first attached photo shows the current smoking point as it was located on April 5th. The second photo, also taken on April 5th, shows two diners smoking directly adjacent to the residents entrance door to their flats. The third photo taken today shows that Fora have now moved their smoking point to be closer to the residents entrance than to their own - and have put it immediately next to a bin store, the safety implications of which are obvious. The result is the last photo, taken this evening, which shows the volume of cigarette butts discarded immediately outside the residents (our) front door. Many of the worst offenders are in fact not the diners, but the restaurants own staff. It is a pretty clear statement of the contempt that Fora feels towards the residents of the block that it discourages its staff from smoking outside its own premises, and instead gets them to go down the street to smoke outside our front door; it is not acceptable to have to ask three days in the same week a chef smoking a cigarette to move away from our entrance door so we can get access to it, and on the second such incident to have him deliberately blow smoke in our faces. This situation will only be made worse if dining is permitted outside on the pavement, and we object to any such increase in off premises licensing in the strongest possible terms.

We hope that the Council finds the above comments and evidence of use, and would be very happy to discuss them further with you.

With many thanks for your time and support,

[REDACTED]



**Williams, John**

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**From:** [REDACTED]  
**Sent:** 11 April 2017 13:51  
**To:** Licensing  
**Subject:** Objection to WK170006984

**Dear Katie Tomashevski,**

I'm writing to Islington council once again to object to the negative impacts being created by the recent applications in my residence, Worcester Point. We are already suffering from the many issues and nuisance caused by the previous applications the Council granted permission. It seems that the wellbeing and interest of the residents are not being respected.

I am the owner and resident of flat 88 Worcester Point and I'm objecting to licensing ACT 2003 - WK170006984, requesting for an extension of operating hours of alcohol sale ON and OFF the premises as it will have a major and negative impact for residents. The letter sent by Islington Council to the residents Ref WK170006984 (with the requested changes), has no details or explanation on what ON and OFF premises are and if there is an expansion of the off premises areas.

I would like to highlight that:

- The application will extend the nuisance and noise in the area; my balcony is located on Central Street, just above the entrance of the restaurant and I'm not particularly happy to have people talking, drinking and smoking outside till late. This is not the environment you want for a residence area, especially for kids.

- The application goes against previous granted conditions on application P2015/4230/FUL (Dec 10th 2015).

Ø Condition 9: "The ground floor unit (A1/A3) hereby approved shall not operate except between the hours of 07:00 and 22:00 on any day. To ensure that the operation of the unit do not unduly impact on residential amenity and/or cumulatively impact on the amenity of neighbouring residential amenity, in accordance with Policy DM4.2 of the Islington Development Management Policies 2013." The permitted delivery times attributed to B1/A3 being between 10am – 4pm Monday – Friday (paragraph 10.32).

Ø Licensing Sub-Committee D granted license permit for the A1/A3 unit on the 13<sup>th</sup> October 2016 with restricted opening hours from 10:00 am until 22:00 pm. Among the reasons the Sub-Committee noted policy 18 for the protection of amenity for residents.

Again, I want to highlight that if you again grant permission to Fora, soon they will set tables outside (on the side walk) and will continue to ask for an extension of the hours to better serve their clients. However I want to remind you that the Council should be looking after the residents wellbeing and rights, as this is a residential area.

In addition, I would like to bring to your attention that Fora has been operating outside the granted permission submitted on Plan P2016/4469/Ful as they are already selling alcohol after the 10pm hours and they are never closed by 11pm.



Your attention to the above matters is very appreciated,

[REDACTED]

Williams, John

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**From:** [REDACTED]  
**Sent:** 11 April 2017 14:00  
**To:** Licensing  
**Subject:** Objection to WK170006984

Dear Katie,

I'm writing to Islington council once again to object to the negative impacts being created by the recent applications in my residence, Worcester Point (EC1V 8BJ). Myself and my neighbours are already suffering from the many issues and nuisance caused by the previous applications the Council granted permission. It seems that the wellbeing and interest of the residents are not being considered.

I am the owner and resident of flat 88 Worcester Point and I would like to object to the licensing ACT 2003 - WK170006984, requesting for an extension of operating hours of alcohol sale ON and OFF the premises as it will have a major and negative impact for residents. The letter sent by Islington Council to the residents Ref WK170006984 (with the requested changes), has no details or explanation on what ON and OFF premises are and if there is an expansion of the off premises areas.

I would like to highlight that:

- The application will extend the nuisance and noise in the area; my balcony is located on Central Street, just above the entrance of the restaurant and I'm not particularly happy to have people talking, drinking and smoking outside till late.
- I also would like to highlight that if you again grant permission to Fora, soon they will set tables outside (on the side walk) and will continue to ask for an extension of the hours to better serve their clients. However I want to remind you that the Council should be looking after the residents wellbeing and rights, as this is a residential area.
- Finally, I would like to bring to your attention that Fora has been operating outside the granted permission submitted on Plan P2016/4469/Ful as they are already selling alcohol after 10pm and they are never closed by 11pm.

Your attention to the above matters is very much appreciated,

King Regards,  
[REDACTED]  
[REDACTED]

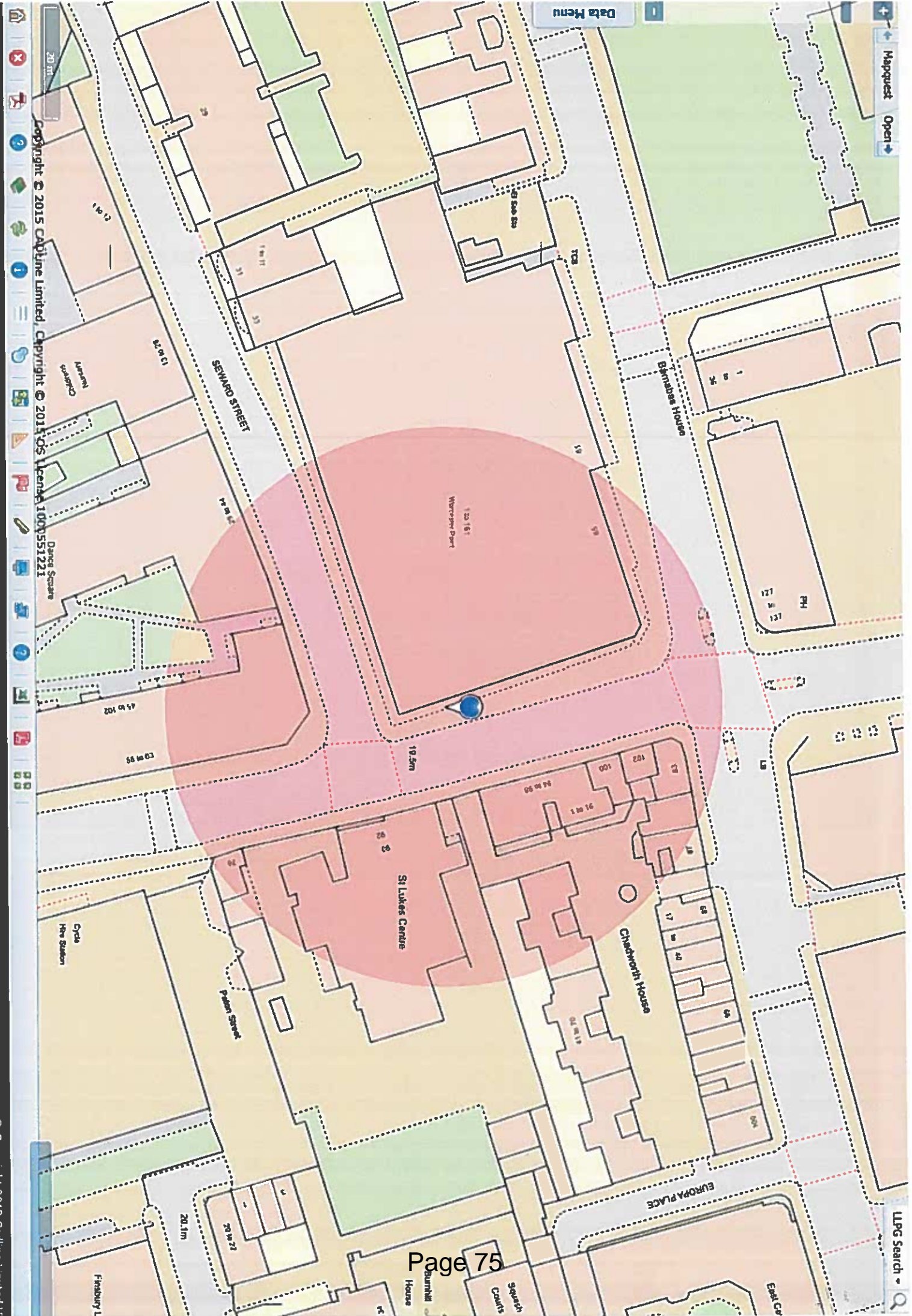
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[REDACTED]

**No new conditions are proposed in the operating schedule**



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	4 July 2017		Bunhill

Delete as appropriate		Non-exempt
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**Subject:** PREMISES LICENCE VARIATION APPLICATION  
SHOREDITCH GRIND, 213 OLD STREET, LONDON, EC1M 4AY

### 1. Synopsis

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

### 2. Relevant Representations

Licensing Authority	No
Metropolitan Police	No – Conditions Agreed
Pollution (Noise)	No – Conditions proposed



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

### **3. Background**

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

- Appendix 1: application form; and current premises licence
- Appendix 2: representations;
- Appendix 3: documents submitted by the applicant;
- Appendix 4: acoustic report dated 26 May 2017
- Appendix 5: suggested conditions and map of premises location.

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

3.3 Three local residents have submitted representations.

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

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

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

3.7 At the suggestion of the Pollution Team, the applicant carried out further acoustic testing at the premises and involved the residents of Imperial Hall. After the acoustic report was produced the Pollution Team recommended three more conditions be attached to the licence to replicate the circumstances that the acoustic testing was carried out under. These conditions have not been accepted by the applicant. (See Annex 4 below)

### **4. Planning Implications**

4.1 The Planning Service has not made any adverse comments.

### **5 Recommendations**

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



- 5.2 To consider the representation from the Police in the light of the revised Secretary of State Guidance to Local Authorities issued on 25th April 2012 namely that the Licensing Authority should accept all reasonable and proportionate representations made by the Police unless the Authority has evidence that to do so would not be appropriate for the promotion of the Licensing Objectives.
- 5.3 If the Committee grants the application it should be subject to:
- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 3)
  - ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)
  - iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

## **6 Conclusion and reasons for recommendations**

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

### **Background papers:**

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

### **Final Report Clearance**

**Signed by**

  
Service Director – Public Protection

**Date**

22/6/17

**Received by**

Head of Scrutiny and Democratic Services

**Date**

Report author: Licensing Service

Tel: 020 75027 3031

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

WOK/160039564.

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

The Licensing Service  
Islington Council

STP? 21/12/16

OK

LIC4

21/12

Appendix: 1

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

✓ **I/We** Caffeine Machine Limited  
(Insert name(s) of applicant)

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

Premises licence number  
LN/13684-140612

### Part 1 - Premises Details

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

Post town London

Post code EC1V 9NR

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 25,750.00

### Part 2 - Applicant Details

Daytime contact telephone  
number

E-mail address (optional)

✓ Current postal address if  
different from premises  
address

Caffeine Machine Limited  
8 - 10 New North Place

Post town

London

Post code EC2A 4JA

### Part 3 - Variation

Please tick as appropriate

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

☒ Yes ☐ No

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

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

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

☐ Yes ☐ No

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

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

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

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

To vary the registered office address of Caffiene Machine Limited.

### Part 4 - Operating Schedule

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

#### Provision of regulated entertainment

Please tick all that apply

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

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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

☐

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

☐

In all cases complete boxes K, L and M

# A

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

# B

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

# C

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

# D

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

# E

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

# F

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

## G

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

## H

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



I

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption - please tick</b> (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			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Tue					
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

# K

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

# L

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

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

Please tick as appropriate

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

☒  
☐

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

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

## M

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

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

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

### b) The prevention of crime and disorder

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

**c) Public safety**

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

**d) The prevention of public nuisance**

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

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

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

**Checklist:**


**Please tick to indicate agreement**

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

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

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

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

Signature	
Date	21 December 2016
Capacity	Joelson JD LLP Solicitors for and on behalf of the Applicant

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

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



## PREMISES LICENCE LICENSING ACT 2003

Premises licence number	LN/3684-310316	Date of original grant*	19 June 2012
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*\*An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

Postal address of premises, or if none, ordnance survey map reference or description			
<b>SHOREDITCH GRIND</b> <b>213 OLD STREET</b>			
Post town	London	Post code	EC1V 9NR
Telephone number	020 7490 7490		

Where the licence is time limited the dates
Not Applicable

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

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

The opening hours of the premises: Not specified
--

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

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

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

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

07444978

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

David Abrahamovitch  
43 Hollybush Hill  
London  
E11 1PS

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

L B Redbridge 044711

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

  
Service Manager (Commercial)

5/4/16  
Date of Issue



## **Annex 1 - Mandatory conditions**

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

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

## **Annex 2 - Conditions consistent with the Operating Schedule**

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

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

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

**Annex 4 – Plans**

Reference Number: LN-13684-310316

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

**Flag Status:** Flagged

Dear

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

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

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

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

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

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

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

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

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

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

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

How to get here:

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

REP 1.  
Appendix 2

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

January 11, 2017

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

Dear Ms Tomashevski,

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

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

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

With kind regards,

**Williams, John**

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

Attn: Katie Tomashevski, Licensing Service

Dear Ms Tomashevski -

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

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

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

With kind regards,

*Email correspondence with Ms Brothers:*

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

Page 97

Dear

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

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

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

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

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

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

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

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

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

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

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

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

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

Dear

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

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

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

Regards

Gary

-----  
**DISCLAIMER:** This email contains proprietary information some or all of which may be legally privileged. If you receive this email as a result of an addressing or transmission error, please notify the author by replying to this email. If you are not the intended recipient you must NOT disclose, distribute, copy, print, use or rely on the information contained in this email.  
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**From:**  
**Sent:** 07 November 2016 23:39  
**To:** Gary King  
**Cc:**  
**Subject:** Re: Grind, Shoreditch

Dear Gary and Martin -

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

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

Kind regards,



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

wrote:

Dear ,

Thank you for your swift response.

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

Thanks again for your help.

Kind regards

Gary

-----  
**DISCLAIMER:** This email contains proprietary information some or all of which may be legally privileged. If you receive this email as a result of an addressing or transmission error, please notify the author by replying to this email. If you are not the intended recipient you must NOT disclose, distribute, copy, print, use or rely on the information contained in this email.  
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**From:**  
**Sent:** 07 November 2016 12:32  
**To:** Gary King  
**Subject:** Re: Grind, Shoreditch

Dear Gary (if I may) -

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

My mobile phone is

Kind regards,

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

> wrote:

Dear

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

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

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

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

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

Regards

Gary

Gary King  
Associate

<image001.png>

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

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

[psredmore.co.uk](http://psredmore.co.uk)

-----  
DISCLAIMER: This email contains proprietary  
information some or all of which may be legally  
privileged. If you receive this email as a result

**Williams, John**

---

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

Hello council team,

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

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

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

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

Looking forward to hearing from you.

**Williams, John**

---

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

Dear Katie and team,

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

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

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

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

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

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

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

**The prevention of public nuisance**

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

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

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

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

*Photo from outside*

### 3. Moving of bins

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

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

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

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

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

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

## **Summary**

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

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

Kind regards  
Patrick

\_\_\_\_\_  
Phone  
Mobile  
Email

IN THE MATTER OF:

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

---

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

---

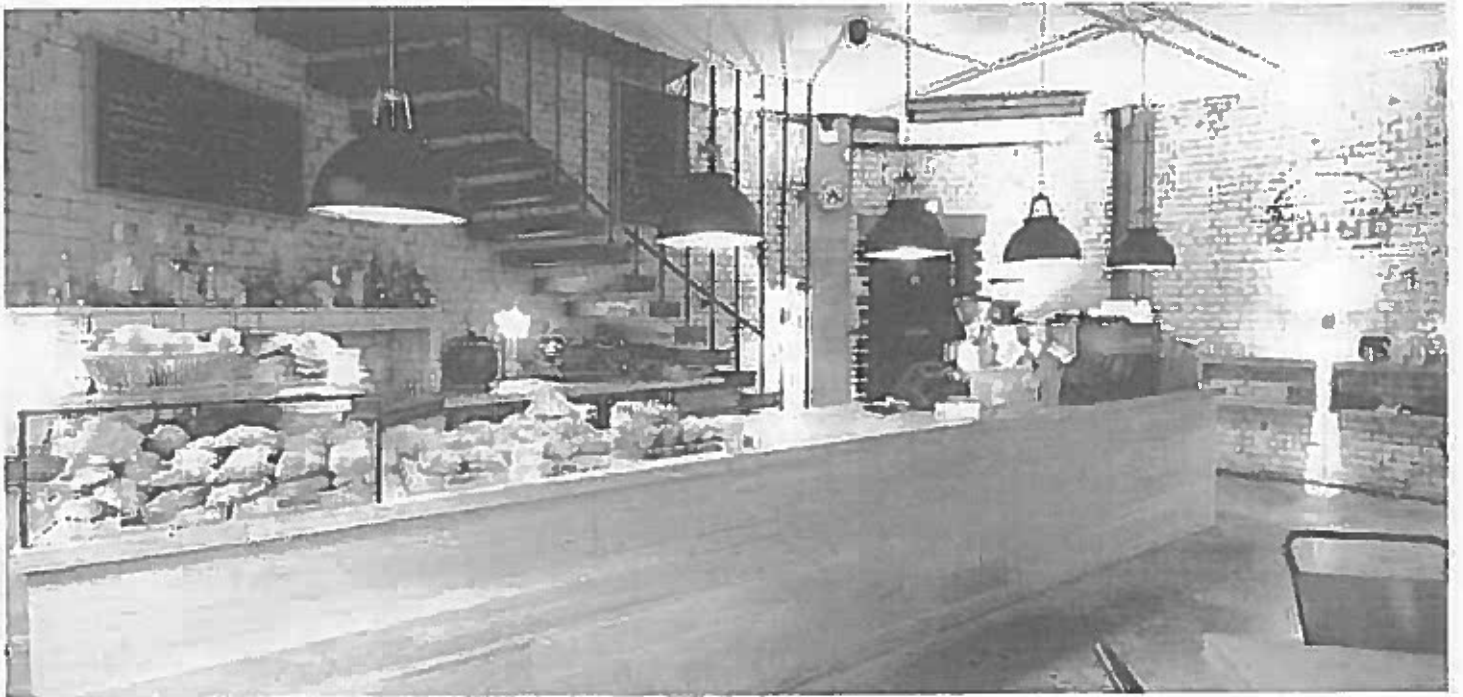
<b>TAB NO.</b>	<b>DESCRIPTION</b>
1.	Photographs of the Premises
2.	Menus
3.	Environmental Noise Report prepared by Sharpe Redmore

# Appendix 1











# Appendix 2

# GRIND

## BREAKFAST

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

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

## FRESH PRESSED JUICE

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

Please alert your waiter to any allergies before ordering.

# GRIND

## SMALLS

Olives.....	3. <sup>50</sup>
Proper handcut chips.....	3. <sup>50</sup>
Croquettes of San Daniele, smoked mozzarella.....	5. <sup>50</sup>
House made hummous.....	5. <sup>50</sup>
Charred pepper salsa, sourdough	
Padron peppers.....	4. –
Sweet potato wedges, chilli mayo.....	4. <sup>50</sup>
Grind scotch egg.....	6. –
Sausage, haggis, free range egg, sauce gribiche	
Salt pepper squid.....	7. –
Deep fried baby squid, courgettes, peppers (GF****)	

## SOURDOUGH PIZZA

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

## BURGER & PROPER CHIPS

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



# GRIND

## COCKTAILS

Grind Espresso Martini.....	8. <sup>50</sup>
Grind House Espresso, Reyka vodka, sugar	
Hot Flat White Russian.....	8. <sup>50</sup>
Grind House Espresso, Reyka vodka, Kahlua, milk	
Espresso Old Fashioned.....	8. <sup>50</sup>
Grind House Espresso, bourbon, sugar syrup, bitters	

Synth City.....	8. <sup>50</sup>
Dark rum, absinthe, orgeat, lemon curd, prosecco	
Rub A Dub Shrub.....	8. <sup>50</sup>
Bourbon, mixed berry shrub, basil	
The Nutcracker.....	8. <sup>50</sup>
Prune infused vodka, walnut syrup, chocolate bitters	
Starry Eyed Surprise.....	8. <sup>50</sup>
Sipsmiths VJOP, maraschino, lime, tarragon	
A Dig At Doris.....	8. <sup>50</sup>
Bourbon, triple sec, campari, lemon, sugar	
Santana-tini.....	8. <sup>50</sup>
Mezcal, mango, passion fruit, lime, chilli	
Agent Flagrant.....	8. <sup>50</sup>
Rum, sloe gin, lemon, sage, bergamot essence	
Channel 213.....	8. <sup>50</sup>
Vodka, peach & apple syrup, lavender	
Clover Club.....	8. <sup>50</sup>
Gin, raspberries, lemon, sugar, egg white	
Negroni.....	8. <sup>50</sup>
Campari, gin, vermouth	
Tommys.....	8. <sup>50</sup>
Tequila, lime, agave	
Old Street Fashioned.....	8. <sup>50</sup>
Bourbon, sugar, bitters	

## BEERS & CIDER

Fourpure Pilsner <sup>(2/3)</sup> .....	4. <sup>50</sup>	Fourpure IPA <sup>(2/3)</sup> .....	4. <sup>50</sup>
40 Feet Unfiltered <sup>(2/3)</sup> .....	4. <sup>50</sup>	Crate Pale Ale.....	4.-
Peroni.....	4.-	Corona.....	4.-
Crate Cider.....	4.-		

# Appendix 3

SHARPS REDMORE

ACOUSTIC CONSULTANTS • Established 1990



## Report

### Environmental Noise Report

Grind & Co, 213 Old Street

**Prepared by**  
Gary King MIOA

**Date** 30 November 2016

**Project No** 1616524

#### Head Office

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

#### Regional Offices

South England (Head Office),  
North England, Wales, Scotland

#### Regional Offices

15, Priory, Cambridge, CB2 1RQ  
10, Priory, Cambridge, CB2 1RQ  
15, Priory, Cambridge, CB2 1RQ  
15, Priory, Cambridge, CB2 1RQ



## **Contents**

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

## **Appendices**

---

- A. Acoustic Terminology**
- B. Noise Survey Results**

## **1.0 Introduction**

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

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

## 2.0 Legal Requirements and Noise Criteria

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

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

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

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

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

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

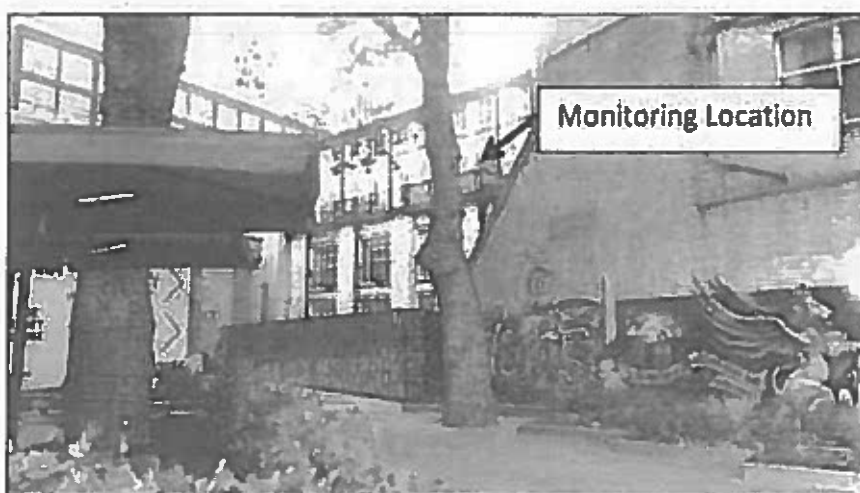
- The music noise shall not cause any increase in the  $L_{A90(1min)}(f)$  when compared with the existing equivalent  $L_{A90(1min)}(f)$ .
- Music noise from the licensed premises shall not cause any increase in the real time simultaneous  $L_{eq(1min)}$  1/1 octave band sound pressure level centred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

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

### 3.0 Noise Survey and Assessment

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

Figure 1: Monitoring Locations



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

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

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

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



**Table 3.2: Survey Results**

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

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

#### Subjective Assessment

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

## **APPENDIX A**

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### **ACOUSTIC TERMINOLOGY**

## Acoustic Terminology

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

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

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

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

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

Where

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

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

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

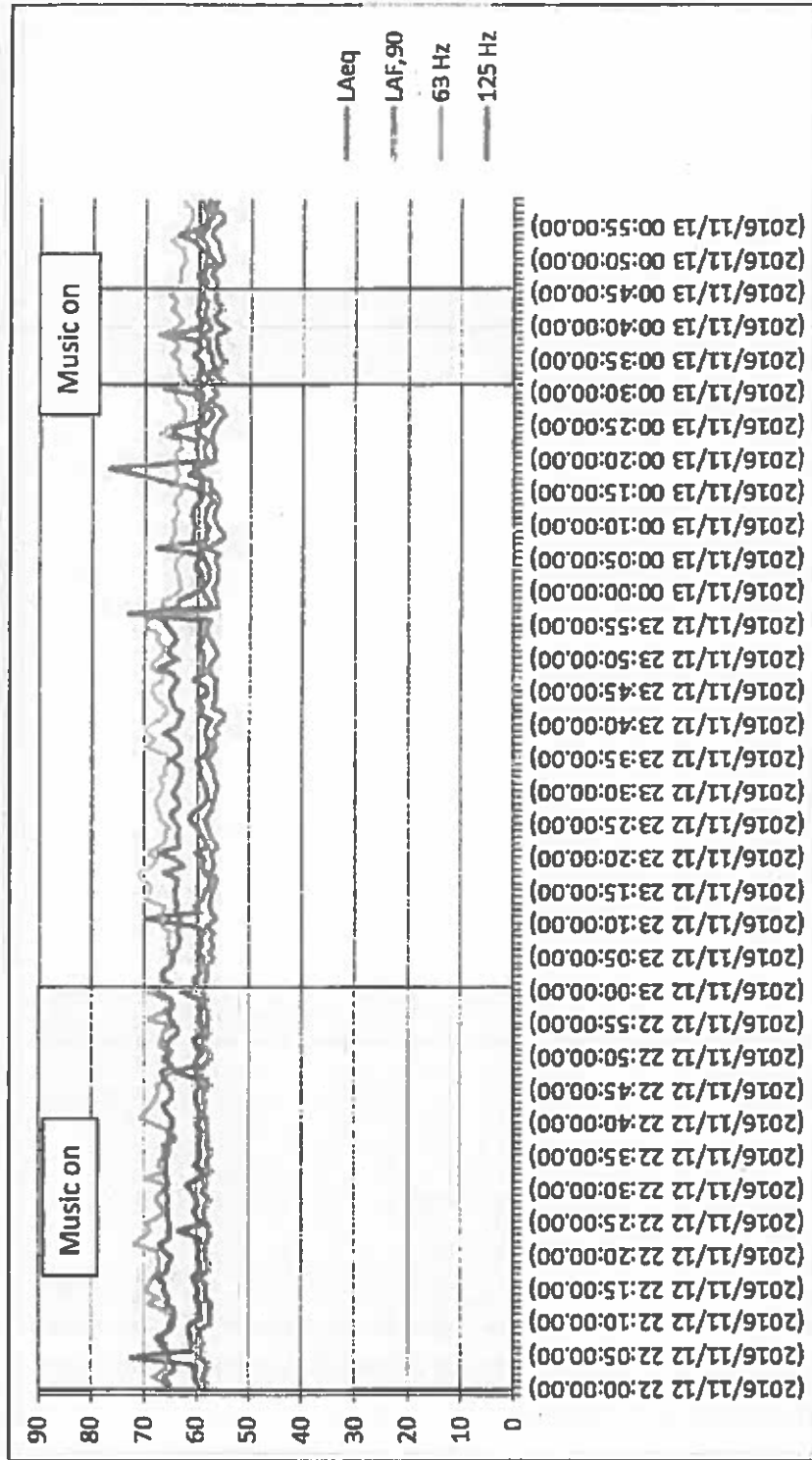
$$60 - 20 \log \frac{160}{10} = 60 - 24 = 36 \text{ dB}$$

## APPENDIX B

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### SURVEY RESULTS

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



## SHARPS REDMORE

ACOUSTIC CONSULTANTS • Established 1990



Reference: The Grind &amp; Co, Shoreditch

Project No: 1616524

Date: 26 May 2017

## Technical Note

Re: Grind &amp; Co – Noise Test

## 1. Introduction

- 1.1 Sharps Redmore (SR) has been instructed by Grind & Co to provide acoustic advice in relation to an application to vary the existing premises licence.
- 1.2 The site is located on the north west side of the Old Street/City Roundabout and comprises of the Shoreditch Grind café/bar and associated external space on the ground floor with a small recording studio and office on the first floor. The surrounding area is mixed in character with commercial and office uses predominating. The nearest noise sensitive properties to the site are the residential apartments directly to the north of the site.
- 1.3 The premises currently trades between the following hours:
- Monday to Thursday: 0700 – 2300 hrs
  - Friday: 0700 – 0100 hrs
  - Saturday: 0800 – 0100 hrs
  - Sunday: 0900 – 1900 hrs
- 1.4 Whilst the premises is currently open until 0100 hours on Friday and Saturday, the premises licences prohibits the playing of music after 2300 hours. Permission is being sought to vary the premises licence to permit the playing of music within the café/bar until 0100 hours in Friday and Thursday i.e in line with the permitted trading hours. No variation of trading hours or use of the outdoor seating area is being sought.
- 1.5 Sharps Redmore have previously prepared a noise assessment dated 30 November 2017 which concluded that based on existing internal noise levels below, noise was inaudible at the boundary at nearby residential properties.

Table 1: Internal Noise Levels – The Grind, 213 Old Street – 12<sup>th</sup> November 2016

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

## Head Office

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

Regional Locations South England (Head Office), North England, Scotland

Sharps Redmore Partnership Limited Registered in England No. 2593855  
 Directors TL Redmore BEng MSc PhD MIOA, RD Sullivan BA PhD CEng MIOA, DE Burke MSc MIOA, KJ Metcalfe BSc MIOA



- 1.6 Concerns have been expressed by Islington Council that based on subjective comments received from the licensing officer at the Council that the above music noise levels are not representative of the level of music normally played.
- 1.7 Therefore the purpose of this assessment is to re-measure the impact of playing of music at premises in-line with the recommendations made by Anne Brothers, Licensing Noise Liaison Officer.

## 2.0 Procedure

- 2.1 Measurements were taken using a Norsonic 118 Type 1 sound level meter. The sound level meter was field checked for calibration before and after the measurements were taken with no drift noted. The relevant calibration certificate is available on request.
- 2.2 Measurements were taken in the middle of the venue between the door and the server area. The microphone was located at approximately head height in free-field conditions. A diagram showing the monitoring location is included in Appendix A to this report.
- 2.3 Measurements were recorded at 1 minute intervals in accordance with the advice from Islington Council. During the test the window to the kitchen area was closed as SR were advised that this would be conditioned should the extension of the license be permitted.
- 2.4 Simultaneous observations and measurements were made at the 15 and 17 Imperial Hall, 104 – 122 City Road. The monitoring locations were agreed prior to carrying out the survey.

## 3.0 Assessment

- 3.1 To determine the impact of noise the music was turned up to a high volume in the premises. At the time of the survey the premises was empty and therefore the following noise levels can be considered music noise only.

**Table 2: Music Noise – Internal**

Awgt	L <sub>Aeq,1min</sub> Frequency Hz								
	32	63	125	250	500	1.0	2.0	4.0	8.0
96.2	64.4	84.3	98.2	90.2	91.7	89.5	87.3	90	84.9

- 3.2 It was noted that due to the size of the premises and reverberant conditions within the premises noise levels within the premises were unbearably high and would be considered unreasonable for both customers and staff.
- 3.3 With music being played at the above levels observations were made on the terrace of 17 Imperial Hall, this being the closest of the two properties referred to above. With the



kitchen window closed (as proposed) both residents agreed that music noise from The Grind was inaudible even with the unbearably high noise levels inside the premises.

- 3.4 Measurements were taken both with music being played and music off at both properties and it was noted that there was no difference in measured noise levels with and without music being played. It is therefore concluded that the playing of music within The Grind would comply with the Islington Councils noise criteria not to increase background noise levels, LA90,1min, or any increase in the real time simultaneous Leq(1min) 1/1 octave band sound pressure level centred on the frequencies 63 Hz and 125 Hz.
- 3.5 Therefore taking into account both subjective and objective assessments it is concluded that the playing of music at The Grind Café, between 2300 and 0100 hours on Friday and Saturdays nights would not cause undue disturbance to local residents in accordance with Policy 18 of the Council's policy statement. This reaffirms the conclusion of the previous report prepared by Sharps Redmore.

**Gary King** MIOA

Associate

[gary.king@sharpsredmore.co.uk](mailto:gary.king@sharpsredmore.co.uk)

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

**Annex 2 Condition 13**

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

**Conditions consistent with the operating schedule**

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

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

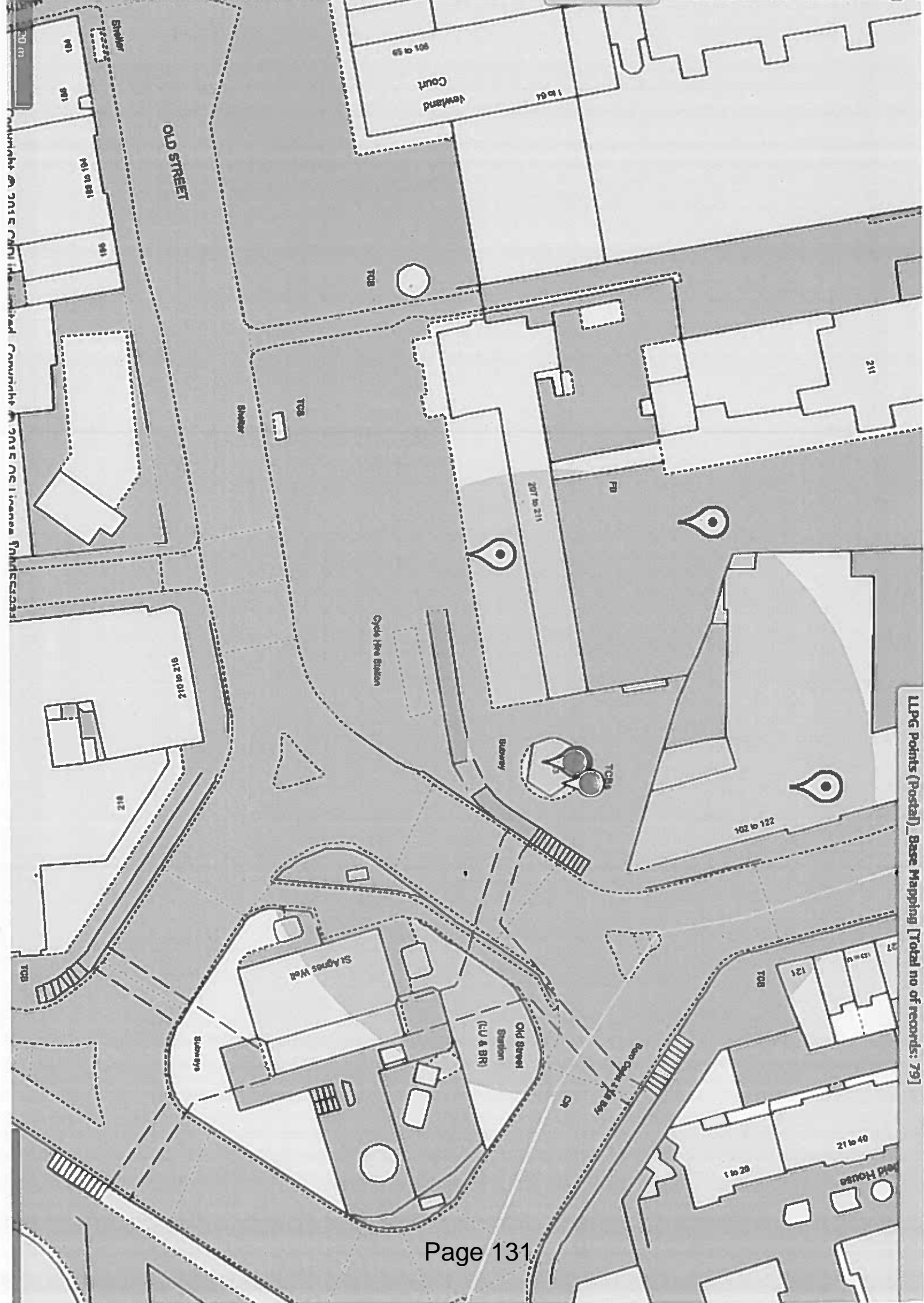
3. Windows to the premises will be kept closed at all times when noise generating regulated entertainment is taking place. Doors will be kept closed so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.

**Suggested conditions of approval recommended by the Pollutions Team (not agreed)**

4. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
5. In the event of a noise complaint relating to amplified sound substantiated by authorised officers the licensee shall reduce all levels of amplified sound at the premises to ambient background levels of sound until such works to include the installation of a noise limiter and an agreement on maximum music levels inside the premises is arrived at to the satisfaction of the Pollution Team.
6. While amplified sound is played at above background levels the windows at the premises will be locked using key operated locking devices.

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

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



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

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Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	4 <sup>th</sup> July 2017		Mildmay

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION**  
**Hop, Burns & Black, 38 Balls Pond Road, London, N1 4AU**

### 1. Synopsis

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

1.2 The new application is to allow:

- The sale by retail of alcohol, on & off supplies, Mondays to Sundays from 10:00 until 22:30; and
- The premises to be open to members of the public, Mondays to Sundays from 10:00 until 23:00.

### 2. Relevant Representations

Licensing Authority	No
Metropolitan Police	No
Noise	No
Health and Safety	No
Trading Standards	No

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: Two but one has withdrawn.
Other bodies	Yes: One Local Ward Councillor

### **3. Background**

3.1 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2: representations;

Appendix 3: supporting documents submitted by the applicant in response to the representations.

Appendix 4: suggested conditions and map of premises location.

3.2 The applicant submitted supporting documentation in response to the outstanding representations, see Appendix 3. As a result of the information supplied, one of the local residents withdrew their representation.

### **4. Planning Implications**

4.1 No planning restrictions.

### **5 Recommendations**

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

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

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

### **6 Conclusion and reasons for recommendations**

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

**Background papers:**

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

**Final Report Clearance****Signed by**

Service Director – Public Protection

Date 22 June 2017

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

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

\* required information

**Section 1 of 19**

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Is the applicant:

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

☐ Applying as an individual

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

**Applicant Business**

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

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

Registration number

Business name

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

VAT number

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

Legal status



**Continued from previous page...**

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

**Agent Business**

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent 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 19**

**PREMISES DETAILS**

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

**Premises Address**

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

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 19

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

### Confirm The Following

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

## Section 4 of 19

### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

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

**Continued from previous page...**

Private Limited Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

Add another applicant

**Section 5 of 19**

**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

Hop, Burns & Black is a boutique retail merchant specialising in premium craft beers, ciders and wines which caters to knowledgeable discerning consumers.

Our first shop in Peckham Rye / East Dulwich has won many awards, including London Beer Retailer of the Year at the 2016 Celebrate British Beer Awards and Time Out's Peckham's Most Loved Shop in 2015 and 2016.

With a unique selling point and exceptional stock selection and excellent customer service, Hop Burns & Black is a destination specialty store as well as a local shop for local people. The new premises will focus primarily on craft beer with a small selection of wines, ciders and craft spirits alongside hot (chilli) sauces, snacks and ancillary products.

**Continued from previous page...**

A range of locally sourced snacks and a selection of artisanal soft drinks are also made available at the premises.

With a core focus on products from independent, local producers, as well as boutique beers, wines, ciders and chilli products from around the world, the product range falls into the premium price range.

The application also seeks to permit a small amounts of consumption to take place on the premises for tasting events and for a limited number of customers to enjoy a drink on the premises as an ancillary part of the business.

Excellent Past History - The company's runs an existing premises in Southwark, which has been run successfully for close to three years, without incident; this new premises will be run to the same high standards.

The existing shop in Peckham Rye / East Dulwich has won many awards since it opened, including; London Beer Retailer of the Year at the 2016 Celebrate British Beer Awards and Time Out's Peckham's Most Loved Shop in 2015 and 2016.

Operating Hours - Although the licensable hours for the Sale of Alcohol state 23.00 as the standard terminal hour, this reflects the flexibility required for the tasting-event schedule which is irregular and the premises usually close at 21.00.

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

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

☐ Yes ☒ No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

☐ Yes ☒ No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

☐ Yes ☒ No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

☐ Yes ☒ No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

*Continued from previous page...*

Will you be providing recorded music?

☐ Yes ☒ No

#### Section 12 of 19

#### PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☐ Yes ☒ No

#### Section 13 of 19

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

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

☐ Yes ☒ No

#### Section 14 of 19

#### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

#### Section 15 of 19

#### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

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

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

**Continued from previous page...**

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the sale of alcohol be for consumption:

☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations

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

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

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

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

**Name**

First name

Family name



*Continued from previous page...*

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 19**

**ADULT ENTERTAINMENT**

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

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

N/A

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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



*Continued from previous page...*

**TUESDAY**

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**WEDNESDAY**

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**THURSDAY**

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**FRIDAY**

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SATURDAY**

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SUNDAY**

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

------------------

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

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

------------------

**Section 18 of 19**

**LICENSING OBJECTIVES**

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

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

**Continued from previous page...**

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

1. Staff Training – Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:
  - a. The responsible sale of alcohol.
  - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
  - c. The responsibility to refuse the sale of alcohol to any person who is drunk.
2. Recording Practices – The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:
  - a. Any complaint against the premises in respect of any of the licensing objectives
  - b. Any crime reported at the premises
  - c. Any illegal drug related incident
  - d. A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.
  - e. Any fault in the CCTV systemAll written reports and registers will be regularly checked by the DPS.
3. Off Sales – Only sealed unopened containers will be sold for off-sale.

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

4. CCTV - The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request. The CCTV system shall:
  - a. Cover all entry points used by the public.
  - b. Enable frontal identification of persons entering in any light condition.
  - c. Be maintained by a suitably qualified person.
5. CCTV - Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV footage and / or images in an appropriate recorded format (usually to a disc or memory stick) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.
6. Drugs Zero Tolerance Policy – A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
7. No Alcohol Permitted Outside – Open containers of alcohol will not be permitted to leave the premises at any time, including for those leaving for the purpose of smoking.
8. Preventing Theft – Alcohol will only be displayed in areas of the shop which are visible from the counter or where covered by CCTV cameras visible via a monitor at the counter.
9. Intruder Alarm – An intruder alarm is installed and remotely monitored.
10. Externally Promoted Events – No externally promoted events will be permitted at the premises; 'externally promoted events' are those which are promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder.

**c) Public safety**

11. Fire Safety – A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:
  - a. Heat / Smoke detectors are installed and maintained by a competent person.

**Continued from previous page...**

- b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
- c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
- d. All emergency exits are marked on the premises plan.

12. First Aid – Adequate & suitable first aid boxes will be maintained.

**d) The prevention of public nuisance**

13. Refuse Disposal - Regular waste disposal is undertaken in accordance with the council's requirements.

14. Litter - The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.

15. Noise Escape - No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

16. Exit Signage – A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.

17. Doors – All doors to the premises will remain closed after 21.00 except for entrance and egress.

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

18. Challenge 25 – A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.

19. Recording Practices - A register of refusals will be maintained at the premises.

**Section 19 of 19**

**PAYMENT DETAILS**

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

Premises Licence Fees are determined by the non domestic rateable value of the premises.

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

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

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

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

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

**Continued from previous page...**

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

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

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

\* Fee amount (£)

## DECLARATION

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

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

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

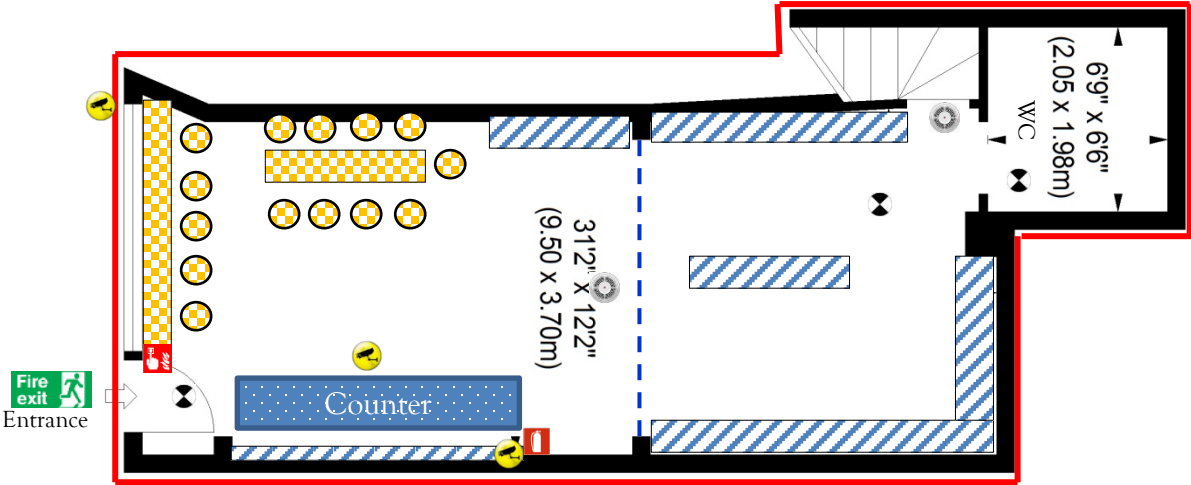
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1> to upload this file and continue with your application.

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

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

OFFICE USE ONLY

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



Key

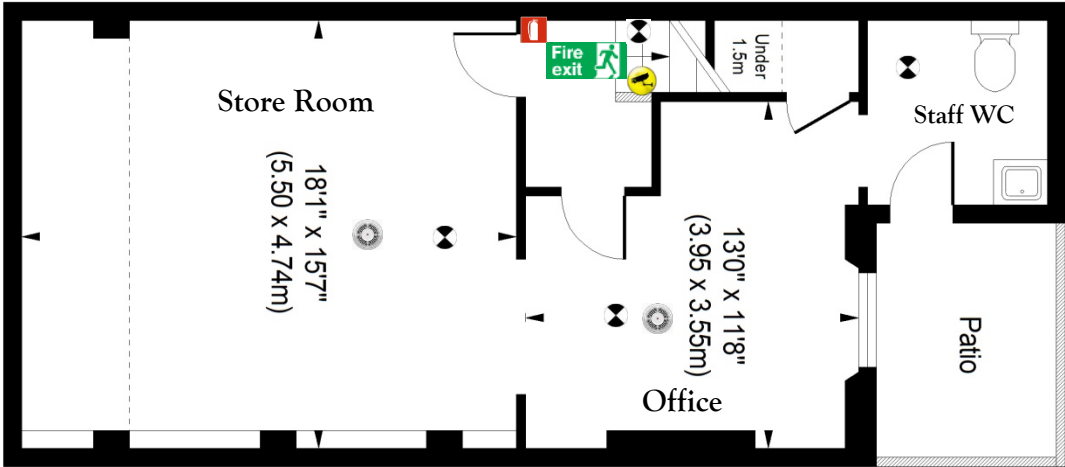
- Area Covered by Licence
- CCTV Camera
- Fire Extinguisher
- Smoke / Heat Detector
- Emergency Lighting
- Fire Call Point
- Step

Shelving / Fridges






Tables / Chairs

Hop Burns & Black (Ground Floor)  
38 Balls Pond Road, London N1 4AU





Key

- Area Covered by Licence
-  CCTV Camera
-  Fire Extinguisher
-  Smoke / Heat Detector
-  Emergency Lighting
-  Fire Call Point
- - - Step

Hop Burns & Black (Basement)  
38 Balls Pond Road, London N1 4AU

**Montanez-Dodson, Monty**

---

**From:** Caluori, Joe  
**Sent:** 15 May 2017 15:34  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: 38 Balls Pond Road Islington (WK/170012499)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi

I endorse this objection. As Ward Cllr I've been made aware of anti-social behaviour issues in this area and an additional licenced premises would work against two of the objectives of the Licensing Act 2003 in relation to

- i) Preventing public nuisance
- ii) Public safety

Please can I be advised of a committee date if it goes forward.

Best,

Cllr Joe Caluori  
**Labour Member for Mildmay Ward, LB Islington**  
 Lead Member for Children & Families

---

**From:** [REDACTED]  
**Sent:** 15 May 2017 14:36  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** RE: 38 Balls Pond Road Islington (WK/170012499)

Dear Islington Council,

Please do not grant this license.

I live at [REDACTED], a [REDACTED] away from the above address.

I wholly reject this application made by the premises of 38 Balls Pond Road.

For the past 18 months large groups of people have consistently gathered outside this address, every Thursday and Friday night, drinking alcohol, smoking weed, playing very loud music from their cars and basically using the street as a party venue. They have children with them at all times, often very late at night running along the street and playing by the road and I absolutely want this behaviour in our neighbourhood stopped. The barbers shop, the jerk chicken shop and also the driving school are using the pavement, and are using my road ([REDACTED]) as a public playground, a dumping ground (I often have to email about fly tipping) and a public bathroom. I absolutely want our local neighbourhoods to thrive, but not in this manner.



We have many problems in this area now and the last thing I want is a bar opened on my street.

Please note that a few months ago I emailed Joe Calouri and also the local councillor for [REDACTED] [REDACTED] about these very same problems and so they are also aware. I have copied them in. Joe, [REDACTED] I sincerely apologise for not coming back to you sooner after you so kindly took the times to reach out. Sadly your emails went into my junk folder.

Sincerely,

[REDACTED]  
[REDACTED]

**Licensing Act 2003 representation pro-forma**

Should you wish to comment on the licence application please use this form to help you.  
Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

Premises Name and address:

38 Ball's Pond Road, Islington, London

Your Name:

Interest:

Resident

(E.g. resident, business, TRA Chair, Councillor, solicitor)

Your Address:

Email:

Telephone:

Please comment on the licensing objectives below relevant to your concerns or observations, you may also wish to include suggestions how your concerns could be addressed:

**Public Nuisance**

Even without the bar there are drunks  
screaming and making noises overnight  
(3-4 days a week)

**Crime and Disorder**

- Drug trafficking, people peeing on houses and rubbish from customers at Peppers & Gola
- suggestions: - put back a rubbish bin at the side of Peppers & Gola to improve hygiene
- Put public camera linked to police to increase safety and reduce drug trafficking



**Protection of Children from Harm**

Concerned of recent stabbing incidents and frequencies  
my neighbor with her son moved out due to concerns  
Having a bar next door would increase nuisance,  
security concern) and worsen the issues I mentioned

**Public Safety**

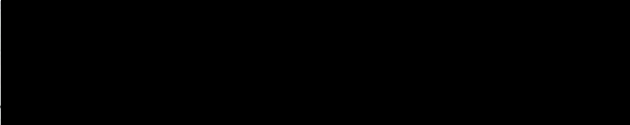
See above

I wish my identity to be kept anonymous: ☒ Yes ☐ No

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

I do not want my name shown due to safety concerns  
of ~~drug~~ dealers.  
drug

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

Signature: 

Date: 14 May 2017

**Please ensure name and address details completed above**

Return to:

Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street  
London N1 1XR

or send by email to:

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

## Representation Withdrawn

**From:** [REDACTED]  
**To:** [Licensing](#)  
**Cc:** [REDACTED]  
**Subject:** RE: 38 Balls Pond Road Islington (WK/170012499)  
**Date:** 15 May 2017 14:35:46

---

Dear Islington Council,

Please do not grant this license.

I live at [REDACTED], a [REDACTED] away from the above address.

I wholly reject this application made by the premises of 38 Balls Pond Road.

For the past 18 months large groups of people have consistently gathered outside this address, every Thursday and Friday night, drinking alcohol, smoking weed, playing very loud music from their cars and basically using the street as a party venue. They have children with them at all times, often very late at night running along the street and playing by the road and I absolutely want this behaviour in our neighbourhood stopped. The barbers shop, the jerk chicken shop and also the driving school are using the pavement, and are using my road (Burder Road) as a public playground, a dumping ground (I often have to email about fly tipping) and a public bathroom. I absolutely want our local neighbourhoods to thrive, but not in this manner.

We have many problems in this area now and the last thing I want is a bar opened on my street.

Please note that a few months ago I emailed Joe Calouri and also the local councillor for [REDACTED] about these very same problems and so they are also aware. I have copied them in. Joe, [REDACTED] I sincerely apologise for not coming back to you sooner after you so kindly took the times to reach out. Sadly your emails went into my junk folder.

Sincerely,

[REDACTED]  
[REDACTED]



## REPRESENTATION RESPONSE

HOP BURNS & BLACK, 38 BALLS POND ROAD, LONDON N1 4AU

**APPLICANT** Hop Burns & Black Ltd.

**OBJECTOR(S)** Cllr Caluori, [REDACTED] & 1 Resident (Names Redacted)

Having received your representations, we have considered all the points raised and would welcome the opportunity to discuss your concerns further.

We believe it is in everyone's interest to reach a consensus in such cases, rather than take matters to a Licensing Committee Hearing; although we respect the right of all parties to be heard in such a forum.

However, if there were suggestions you might have which would allay your concerns, we would welcome the opportunity to discuss them with you and seek to reach an agreement which allows you to withdraw your representation.

### ORIGINAL REPRESENTATIONS

All three representations reference the ongoing concerns in the area where the Premises Licence is sought. None however suggest any way in which this new premises will add to those problems, nor any constructive solutions to resolving them.

I would seek to reassure you that the applicant in this case not only shares your concerns, as their business would equally be affected by issues such as those you raised, but also strongly believe that rather than adding to these problems, they will be on your side in trying to resolve them. Their business seeks to attract a very different type of customer and will not tolerate such behaviour on their doorstep.

Your representation references three key areas where you perceive this application will causes you concern:

1. Drug Dealing
2. Anti-Social Behaviour
3. Noise Nuisance

These are existing ongoing concerns you raised and not linked to the operation of the new Premises Licence applied for.

I thought it might be useful to outline the nature of this premises for you, in case you have not seen the full application we submitted.

This application is **not** for a typical bar or off-licence, but rather for a high-end premium craft drinks retailer. The business already runs an existing premises in Southwark for which they have won a number of awards.

At their existing location they have an excellent relationship with their neighbours, who have seen the positive contribution the shop has made to the local neighbourhood.

In the application submitted, we described the premises as follows:

*'Hop, Burns & Black is a boutique retail merchant specialising in premium craft beers, ciders and wines which caters to knowledgeable discerning consumers.*

*Our first shop in Peckham Rye / East Dulwich has won many awards, including London Beer Retailer of the Year at the 2016 Celebrate British Beer Awards and Time Out's Peckham's Most Loved Shop in 2015 and 2016.*

*With a unique selling point and exceptional stock selection and excellent customer service, Hop Burns & Black is a destination specialty store as well as a local shop for local people. The new premises will focus primarily on craft beer with a small selection of wines, ciders and craft spirits alongside hot (chilli) sauces, snacks and ancillary products.*

*A range of locally sourced snacks and a selection of artisanal soft drinks are also made available at the premises.*

*With a core focus on products from independent, local producers, as well as boutique beers, wines, ciders and chilli products from around the world, the product range falls into the premium price range.*

*The application also seeks to permit a small amounts of consumption to take place on the premises, for tasting events and for a limited number of customers to enjoy a drink on the premises as an ancillary part of the business.*

***Excellent Past History*** - *The company's runs an existing premises in Southwark, which has been run successfully for close to three years, without incident; this new premises will be run to the same high standards.*

Forgive me if you are already familiar with Licensing regulation, but it may be worth explaining that every Premises Licence is accompanied by a set of 'conditions', either offered by the applicant, agreed with the responsible authorities during the application process or decreed at a hearing.

These 'conditions' are legally enforceable and so must be adhered to by the holder of the licence; failure to comply can result in very large fines or even imprisonment. We voluntarily offered 19 conditions in this application, as a demonstration of the level of self-regulation we were willing to impose.



Both the police and the other 9 responsible authorities have considered the application and the 19 conditions we offered and feel that the application was strong enough not to warrant an objection.

These conditions cover everything from the use of CCTV, to the training for staff and record keeping; amongst others.

However in respect of some of the points you raised, we have already considered them in the application, by offering the following conditions:

- **Drugs Zero Tolerance Policy** – A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
- **Off Sales of Alcohol** – Alcohol leaving the premises can only leave in sealed containers; therefore no open drinks will be taken out.
- **CCTV** – CCTV will be in operation at the premises. The police have the right to access these images at any time and as such there will be more evidence available from the premises, then there is currently in the area.
- **Staff Training** – Those people working at the premises will be trained to a high standard, including how to respond to local concerns, prevention of underage drinking and the responsible sale of alcohol.
- **Litter** – The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.
- **External Doors** – These will be kept shut after 21.00 to ensure no noise escapes from the premises.
- **Exit Signage** – A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public exit from the premises.

As you can see from just these seven (of 19) conditions, we have already taken some of the concerns you raised into account when we made our initial application. We would be happy to consider any additional conditions you may feel are helpful.

As I mentioned earlier, the business seeks to deliver high-end products at a premium price range, the type of drinks which street-drinkers are unlikely to purchase or consume. The applicant knows from its existing premises that the clientele they attract, are not those you describe in your representations. As such we feel we make a strong case for this application not impacting negatively on the existing problems you highlighted.

The applicant will in fact become an ally to local residents, as the type of behaviour you describe, is behaviour they would not welcome outside their business.

To demonstrate this further please see the attached letters of recommendation from residents and other business owners who currently live immediately above and adjacent to the existing shop in Southwark.

I hope this letter has provided you with some further explanation of how this premises is going to be operating and provided you with the reassurance that the conditions on the proposed new licence, will mean it is legally bound to continue to operate to high standards in the future.

This application is set to go to a hearing in July, however we are still keen, to avoid that process by seeking to resolve matter with you in advance, which that is the reason for my letter today.

The licensing process allows and actively encourages, all parties to discuss applications and any areas of concern with a view to resolving matters in a way which is satisfactory to all parties, prior to a hearing. Anyone who has made a representation is therefore able to withdraw that representation if their concerns are met as a result of these discussions. If all representations are withdrawn, then the hearing can be avoided.

By writing to further explain the process to you and the way we approached the application, we would hope that either this letter or further discussions could enable us to reach such a position.

I would be happy to discuss the application further with you in a phone call or by further correspondence if you think that would be helpful. If you have any additional questions I would be happy to provide you with a response to those by email or telephone. Alternatively you can Contact the applicant directly; Jen Ferguson – [REDACTED]

I note that we are unable to contact you directly, as the Licensing Authority redact your contact details before passing on your representation. Therefore at this stage we rely on you to contact me directly using the details below or through Dan Whitton at the Licensing Authority.

I look forward to your comments.

Kind regards

**Peter Mayhew** - Director

**Beyond the Blue**  
Training & Consultancy

[REDACTED]  
[REDACTED]  
[REDACTED]

*Updated: Peter Mayhew – 20/06/2017*



# **BALFE'S**

Balfe's Bikes Ltd, 36 East Dulwich Road, SE22 9AX.  
hello@balfesbikes.co.uk  
www.balfesbikes.co.uk



14.6.17

To whom it may concern,

**RE: Hop Burns and Black, 38 East Dulwich Road, SE22 9AX.**

I would like to voice my support for Hop Burns and Black.

Their artisan craft beer shop has brought us many customers. It has changed the way our small stretch of shops feels and the kind of footfall we get.

Their business is selling hard to source and small scale craft beer. They are part of the craft beer revolution which has certainly broadened my palate.

They concentrate on quality and not quantity, I have never seen any drunk or load behavior outside their shop. It is quite the opposite actually.

In my opinion Hop Burns and Black have greatly improved our stretch (next door to them we have a [REDACTED] and get a great deal of aggro from them.)

I have never felt threatened or un-safe at all. They have helped to make the area a nicer place to be and they are catering toward a young and middle-aged employed local community, you have to have a job to afford their beer! - only joking, but on a serious note if you are looking for 6 cans for a fiver you WILL NOT find it at Hop Burns and Black. They are a different business entirely.

I hope this letter can contribute in their favour, they have a great business and deserve to do well. They will only add to any community they see fit to open a business in.

Yours sincerely,


[REDACTED]

[REDACTED]





Dear Sir/Madam


I own and live  Hop Burns & Black ("HB&B") on 38 East Dulwich Road.

I have owned my property for over two years and bought it in the knowledge that HB&B was . This did not concern me at the time and it certainly does not concern me now.

I have never been close to being troubled by any nuisance, noise or otherwise but in any event I've never known HB&B to be open any later than 8pm during the week or 9pm on the weekends, aside from occasional ticketed tasting events. I work as a lawyer in a busy City practice and so getting adequate quiet time when I am able to is something I cannot afford to compromise on.

However, I should add, that if I did notice any noise (which for the avoidance of doubt, I don't) it would only be good natured and good humoured of the kind which typifies a HB&B customer.

In the two years I have lived in my property I have got to know the owners of HB&B,   well. It is clear that they have a strong social conscience, deeply care about the community and wish to embed themselves within it and connect and collaborate with those in it wherever possible. I could name numerous examples.

With the greatest respect to chicken shops, barber shops and regular Off Licences/corner shops, HB&B is of an entirely different ilk, and as such attracts entirely different clientele. It is a high quality establishment selling premium products. Anti-social behaviour is entirely inconsistent with the HB&B ethos and more importantly, anything that I have experienced in my time  the premises. I firmly believe that HB&B has had nothing but a profoundly positive effect on the neighbourhood and community in which I live.

If you are in any doubt I would urge you to take a trip to East Dulwich Road and see for yourself.

If I can be of further assistance, do not hesitate to contact me. In the first instance at 

Yours sincerely  

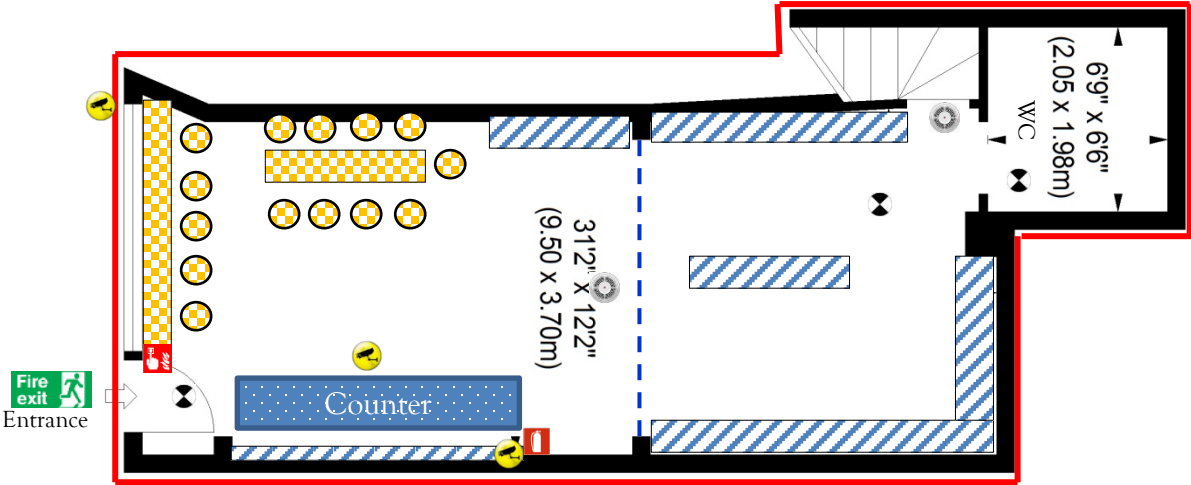

**Suggested conditions of approval consistent with the operating schedule**

1. Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:
  - a. The responsible sale of alcohol;
  - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification; and
  - c. The responsibility to refuse the sale of alcohol to any person who is drunk.
2. The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:
  - a. Any complaint against the premises in respect of any of the licensing objectives;
  - b. Any crime reported at the premises;
  - c. Any illegal drug related incident;
  - d. A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason; and
  - e. Any fault in the CCTV system.

All written reports and registers will be regularly checked by the DPS.
3. Only sealed unopened containers will be sold for off-sale.
4. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
5. Open containers of alcohol will not be permitted to leave the premises at any time, including for those leaving for the purpose of smoking.
6. Alcohol will only be displayed in areas of the shop which are visible from the counter or where covered by CCTV cameras visible via a monitor at the counter.
7. An intruder alarm is installed and remotely monitored.
8. No externally promoted events will be permitted at the premises; 'externally promoted events' are those which are promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder.
9. Regular waste disposal is undertaken in accordance with the council's requirements.
10. The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.
11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public exit to the premises.
13. All doors to the premises will remain closed after 21.00 except for entrance and egress.
14. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.

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

15. CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to comply with the following criteria:
  - a. The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request;
  - b. The Police must be informed if the system will not be operating for longer than one day of business for any reason;
  - c. One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
  - d. The system shall record in real time and recordings will be date and time stamped;
  - e. 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 48 hours of any request;
16. 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.



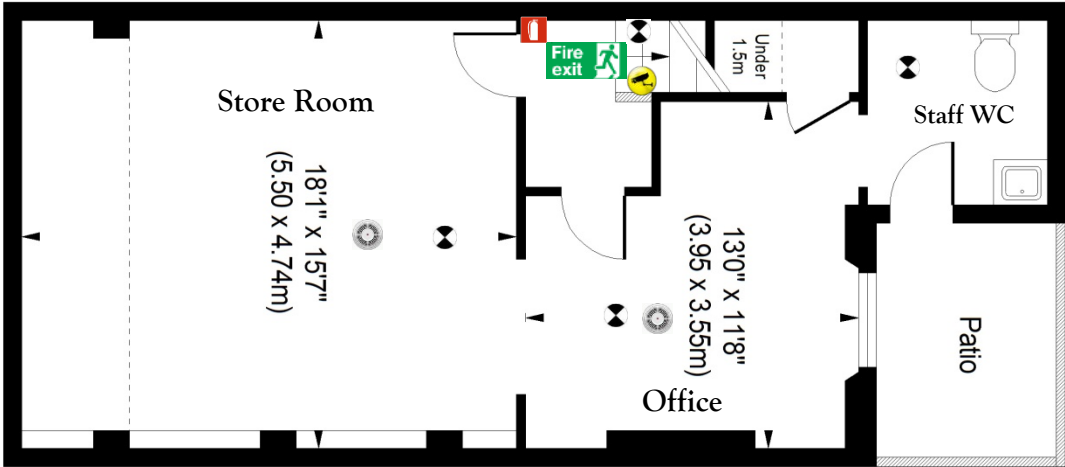
Key

- Area Covered by Licence
- CCTV Camera
- Fire Extinguisher
- Smoke / Heat Detector
- Emergency Lighting
- Fire Call Point
- Step

Shelving / Fridges

Tables / Chairs

Hop Burns & Black (Ground Floor)  
38 Balls Pond Road, London N1 4AU



Hop Burns & Black (Basement)  
38 Balls Pond Road, London N1 4AU

- Key**
- Area Covered by Licence
  - CCTV Camera
  - Fire Extinguisher
  - Smoke / Heat Detector
  - Emergency Lighting
  - Fire Call Point
  - - - Step

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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	04 July 2017		Canonbury

Delete as appropriate		Non-exempt
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**Subject:** NEW PREMISES LICENCE APPLICATION  
RE: PALMERA OASIS, 332 ESSEX ROAD, LONDON N1 3PB

### 1. Synopsis

- 1.1 This is an application for a new premises licence under the Licensing Act 2003.
- 1.2 The application is to allow:
  - i) The provision of late night refreshments, from 23:00 until 01:00 Sunday to Wednesday and from 23:00 until 03:00 Friday and Saturday.
  - ii) Opening hours, from 11:00 until 01:00 Sunday to Thursday and from 11:00 until 03:00 Friday and Saturday.

### 2. Relevant Representations

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

Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes – One Local Resident
Other bodies	No

### 3. Background

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

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

3.2 This premises is not located in a Cumulative Impact Area. However, the Licensing Committee will need to consider whether there will be any adverse cumulative impact on the licensing objectives.

3.3 The Licensing Authority received one letter of representation in opposition to this application, from a local resident. The representation was based on the licensing objective of the prevention of public nuisance.

3.4 This premises held an alcohol licence from November 2006, until 2011 when it was surrendered. The licence previously allowed the provision of recorded music 24 hours daily, the provision of late night refreshment until 01:00 daily and the sale of alcohol until 01:00 daily.

3.5 This application was made on 24 February 2016, however, has been held in abeyance as the premises did not have the correct planning permission. The premises have now been granted planning permission.

### 4. Planning Implications

4.1 Planning have reported that the premises have a certificate of lawful use as a restaurant to the times applied for.

4.2 There are no outstanding planning enforcement investigations in relation to this site.

### 5. Recommendations

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

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

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

**6. Conclusion and reasons for recommendations**

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

**Background papers:**


The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance

**Signed by**

  
Service Director – Public Protection

22 June 2017

**Date**

**Received by**

Head of Scrutiny and Democratic Services

**Date**

Report author: Licensing Service

Tel: 020 75027 3031

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

35837 24/02/16

CASH, DWT  
£190.00

ISLINGTON

Appendix 1

**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 Minor Alhambra, Bosa Ltd.  
(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 332 Essex Road London NW	
Post town London	Postcode N13PB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 13,000

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

Please tick yes

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

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

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

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

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

**(B) OTHER APPLICANTS**

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

Name	Mouir Alghazal Bogra Ltd.
Address	332 Essex Road London N1 3PB
Registered number (where applicable)	9986055
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			
1	1	1	1	1	1	1	1

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	1	1

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

Bosra Ltd is a lebanese restaurant and take away, the purpose of the licence is to sell takeaway food only.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

**A**

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



# D

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

E

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

# F

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

# G

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

# H

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

# I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	23.00	1.00 AM			
Tue	23.00	1.00 AM			
Wed	23.00	1.00 AM	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	23.00	1.00 AM			
Fri	23.00	3.00 AM			
Sat	23.00	3.00 AM	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun	23.00	1.00 AM			

## J

<b>Supply of alcohol</b> <b>Standard days and timings</b> (please read guidance note 6)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 7)	<b>On the premises</b>	<input type="checkbox"/>	
				<b>Off the premises</b>	<input type="checkbox"/>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>		<b>Both</b>	<input type="checkbox"/>	
<b>Mon</b>			<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)			
<b>Tue</b>						
<b>Wed</b>						
<b>Thur</b>				<b><u>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</u></b> (please read guidance note 5)		
<b>Fri</b>						
<b>Sat</b>						
<b>Sun</b>						

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

Name	
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 8).

No entertainment or other activities.

L

Hours premises are open to the public  
Standard days and timings  
(please read guidance note 6)

Day	Start	Finish
Mon	11.00	0100 <del>23.00</del>
Tue	11.00	0100 <del>23.00</del>
Wed	11.00	0100 <del>23.00</del>
Thur	11.00	0100 <del>23.00</del>
Fri	11.00	0300 <del>23.00</del>
Sat	11.00	0300 <del>23.00</del>
Sun	11.00	0100 <del>23.00</del>

State any seasonal variations (please read guidance note 4)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)



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

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

- cctv camera is in operation
- a note will be display on the front of the shop to respect the customers and leave the place quickly.
- customers will collect their food in the front area of the shop they will not have any access to the downstairs area

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

we ~~had~~ <sup>have</sup> already installed camera in the premises and we will report any suspicious behaviour to the police.

**c) Public safety**

we will only use the front area of the premises to sell take away food so when the customers can collect their food and leave the premises quickly.

**d) The prevention of public nuisance**

we will put a note at the entrance of the premises for customers to respect the neighbours and to leave the place quietly.

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

the authority will be informed if we notice any children with no ~~adult~~ adult observation, in addition to that we will report to the police if we suspect any behaviour.

**Checklist:**


Please tick to indicate agreement

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

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

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

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

Signature	
Date	25/02/16
Capacity	Director

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
332 Essex Road London			
Post town		Postcode	M13 9L
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

### Notes for Guidance

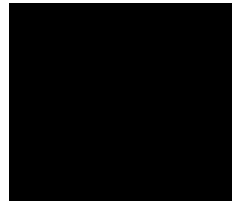
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies,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

**Jones, Carol**

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**From:** [REDACTED]  
**Sent:** 18 March 2016 15:53  
**To:** Licensing  
**Subject:** ref WK/160005939

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



Dear Niall Forde,

I am writing regarding extending the license for BOSCA LTD, 332 ESSEX ROAD, LONDON. N1 3PB.

Allowing the above premises to remain open until 1.00 am midweek and 3.00 am weekend is of great concern to me.

I live opposite the premises and people who use the restaurant late evening/night are usually people that have come from surrounding pubs after closing. They have been drinking heavily and find it extremely difficult to keep noise levels to a minimum.

My bedroom and the bedroom of my two sons , who are of school age, are [REDACTED] the premises and having people coming and going until the early hours would severely disrupt our quality of life.

The premises are already open late and sometimes do not shut at the allotted time. I see many customers sitting outside till early hours of the morning.

Thank you for your time.

Yours sincerely

[REDACTED]

Sent from Windows Mail

**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. All instances of crime and disorder shall be reported to the police.
3. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

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