



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

AGENDA FOR THE LICENSING SUB COMMITTEE A

Members of Licensing Sub Committee A are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on **16 October 2018 at 6.30 pm.**

Yinka Owa
Director of Law and Governance

Enquiries to : Zoe Lewis
Tel : 020 7527 3486
E-mail : democracy@islington.gov.uk
Despatched : 8 October 2018

Membership

Councillor Gary Poole (Chair)
Councillor Michelline Safi Ngongo (Vice-Chair)
Councillor Ben Mackmurdie

Substitute

All other members of the Licensing committee

Quorum: is 3 Councillors

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



A. Formal matters **Page**

1. Introductions and procedure
2. Apologies for absence
3. Declarations of substitute members
4. Declarations of interest

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business
6. Minutes of Previous Meeting 1 - 10

B. Items for Decision **Page**

1. Shell Holloway, 104-106 Holloway Road, London, N7 8JE - Premises Licence Variation Application 11 - 38

2. Tayer and Elementary, 152 Old Street, London, EC1V 9BJ - New Premises Licence Application

39 - 116

C. Urgent non-exempt items

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

D. Exclusion of public and press

To consider whether, in view of the nature of the remaining items on the agenda, any of them are likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

E. Urgent Exempt Items (if any)

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

ISLINGTON LICENSING SUB-COMMITTEES -

PROCEDURE FOR HEARING LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003

INTRODUCTION

TIME GUIDE

- 1) The Chair of the Sub-Committee will open the meeting and invite all members of the Sub-Committee, Officers, the applicant and anybody making representations, including witnesses (who have been given permission to appear) to introduce themselves.
- 2) The Chair will introduce the application and draw attention to the procedure to be followed as detailed below.

CONSIDERATION OF APPLICATIONS:

N.B. The Sub-Committee have read all the papers. All parties should use this time to present a summary of their key points and not to repeat the detail already provided in the report.

- 3) **The Licensing Officer** will report any further information relating to the application or representations. Where necessary the relevant parties will respond to these points during their submissions.
- 4) **Responsible Authorities** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 5) The Sub-Committee to question the responsible authorities on matters arising from their submission.
- 6) **Interested Parties** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 7) The Sub-Committee to question the objectors on matters arising from their submission.
- 8) **The applicant** to present the key points of their application, address the representations and clarify any points requested by the Authority. Witnesses given permission by the Authority may appear. 10 mins
- 9) The Sub-Committee to question the applicants on matters arising from their submission.
- 10) If required, the Licensing Officer to clarify matters relating to the application and the Licensing Policy.
- 11) The Chair may give permission for any party to question another party in the order of representations given above.

CASE SUMMARIES

- 12) **Responsible Authorities**
 - 13) **Interested parties**
 - 14) **Applicant**
- 2 mins each

DELIBERATION AND DECISION

- 15) The Sub-Committee may retire to consider its decision. The Committee Clerk and Legal Officer will remain with the Sub-Committee.
- 16) If the Sub-Committee retires, all parties should remain available to provide further information or clarification.
- 17) The chair will announce their decision giving reasons and any conditions to be attached to the licence. All parties will be informed of the decision in writing.

London Borough of Islington

Licensing Sub Committee A - 7 August 2018

Minutes of the meeting of the Licensing Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 7 August 2018 at 6.30 pm.

Present: **Councillors:** Poole (Chair), Ngongo (Vice-Chair) and Mackmurdie

Councillor Gary Poole in the Chair

- 10** **INTRODUCTIONS AND PROCEDURE (Item A1)**
Councillor Gary Poole welcomed everyone to the meeting and officers and members introduced themselves. It was noted that the procedure for the conduct of the meeting was detailed in the agenda papers.
- 11** **APOLOGIES FOR ABSENCE (Item A2)**
None.
- 12** **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
None.
- 13** **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 14** **ORDER OF BUSINESS (Item A5)**
The order of business would be D1, D2, B2, B3. Item B1 had been withdrawn from the agenda.
- 15** **MINUTES OF PREVIOUS MEETING (Item A6)**
RESOLVED:
That the minutes of the meeting held on 5 June 2017 be confirmed as a correct record and the Chair be authorised to sign them.
- 16** **GREENSPACE, CHARTERHOUSE SQUARE, LONDON, EC1M 6AN (Item B1)**
The Sub-Committee noted that this item had been withdrawn from the agenda and would be heard at a future meeting.
- 17** **HAMLET CAFE, 435-437 HORNSEY ROAD, LONDON, N19 4DX - NEW PREMISES LICENCE APPLICATION (Item B2)**
The licensing officer advised that the conditions proposed by the noise team had been agreed by the applicant on 2 August 2018. These were included in the proposed conditions on pages 151-153 of the agenda.

The residents confirmed that they had had a meeting with the applicant to discuss issues. They had not realised the business was being sold and their issues related to the previous owner and as the new owner was prepared to address the residents' concerns, they were willing to withdraw their objections.

Licensing Sub Committee A - 7 August 2018

The applicant's legal representative stated that the applicant did not yet own the premises but had a solicitor's letter to say the sale would be completed in the next two to four weeks. This was submitted to the licensing officer. The applicant's legal representative advised that the applicant had 20 years' experience and the premises would be run as a café during the day and a Turkish restaurant at night. The applicant gave an undertaking to modernise the flue system that was causing the residents problems. This would be covered by one of the conditions proposed by the noise team and agreed by the applicant. Concerns about the removal of rubbish would also be addressed. The applicant confirmed he would also invite the residents to meet with them, would provide residents with a phone number and email address to contact in the event of any problems.

As the residents' concerns related to the previous owner, the applicant proposed a condition that the previous owner would not be permitted to work in the premises in any capacity after ownership had transferred to the applicant.

The applicant stated that alcohol would only be served ancillary to a table meal and there would be no vertical drinking.

RESOLVED:

That the application for a new premises licence in respect of Hamlet Café, 435-437 Hornsey Road, London, N19 4DX be granted

- 1) To allow the sale by retail of alcohol, on supplies only, Monday to Sundays from 10:00 until 22:00 and
- 2) Opening hours to be:- Mondays to Sundays from 06:00 until 22:30.

The conditions detailed on pages 128 and 129 of the agenda would be applied to the licence with the addition of a condition proposed by the applicant namely that when the Lease for Hamlet Cafe and Restaurant was signed and Mr Azmi Pala became the Leaseholder and operator of Hamlet Cafe and Restaurant, Mr Safar Dorgan would not be employed or permitted to work in the business or be involved in the business in any capacity.

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 interested parties who were residents had discussed the matter with the applicant and his representative before the meeting and conditions had been agreed with them. They had been under a misapprehension when making their representations that the former owner of the café had made the application and their objections had been based on their description of his conduct. It was agreed that the former owner should not be employed or be permitted to work in the business or be involved in the business in any capacity, once the lease had been signed and Mr Pala became the leaseholder and operator of the café.

The Sub-Committee was also satisfied from the description of the business as a café by day and a Turkish restaurant by night with on supplies of alcohol only and that there would be no detrimental impact on resettlement housing projects nearby or vulnerable individuals. The Sub-Committee considered that with the agreed conditions it would be proportionate and appropriate to the licensing objectives to grant the premises licence.

18 **UNIT 2, 88-89 COWCROSS STREET, LONDON, EC1M 6BP - NEW PREMISES LICENCE APPLICATION (Item B3)**

The licensing officer advised that the applicant had stated that he had agreed to the conditions on page 152 and 153 of the agenda. There had been one written representation from a resident but the resident was not present.

The applicants confirmed that the business would be a plant based vegan restaurant. Alcohol would be a small part of sales and would be vegan alcohol and craft beers. Cocktails and mocktails would be offered.

The chair encouraged the applicants to engage with neighbours if the application was granted.

RESOLVED:

That the application for a new premises licence in respect of Unit 2, 88-89 Cowcross Street, London, EC1M 6BP be granted

- 1) To allow the sale by retail of alcohol for consumption both on and off the premises from 11:00 until 23:00 Monday to Sunday.
- 2) Opening hours to be:- 07:00 until 23:00 Monday to Sunday.

Conditions detailed on pages 151 to 153 of the agenda would be applied to the licence.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The evidence included the representation from the resident submitted in writing. 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 Policies 2 & 3 and Home Office Guidance 14.30-14.39. The premises fall within the Clerkenwell cumulative impact area. Licensing policy 3 creates a rebuttable presumption that applications for the grant or variation of premises licences which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

The Sub-Committee was satisfied that with the additional conditions and the operating schedule, there would be no negative cumulative impact on any of the licensing objectives and therefore the presumption of refusal was rebutted. It was proportionate and appropriate to grant the application for the premises licence.

19 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED

That the press and public be excluded during consideration of the following items as the presence of members of the public and press would result in the disclosure of exempt information within the terms of the Local Government Act 1972 for the reasons indicated.

Premises Licence Transfer and Designated Premises Supervisor Application – The Gunners, 204 Blackstock Road, London, N5 1EN

Category 1 – Information relating to an individual.

Category 7 – Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Personal Licence Relevant Convictions Section 132A of Licensing Act 2003

Category 1 – Information relating to any individual.

Category 2 – Information which is likely to reveal the identity of an individual

Category 7 – Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

20 **THE GUNNERS, 204 BLACKSTOCK ROAD, LONDON, N5 1EN - PREMISES LICENCE TRANSFER AND DESIGNATED PREMISES SUPERVISOR APPLICATION (Item D1)**

The press and public were excluded during consideration of this item as the presence of members of the public and press would result in the disclosure of exempt information within the terms of the Local Government Act 1972.

RESOLVED:

- 1) That the application to transfer the premises licence in relation to The Gunners, 204 Blackstock Road, London, N5 1EN be refused.
- 2) That the application to vary the Designated Premises Supervisor be refused.

21 **PERSONAL LICENCE RELEVANT CONVICTIONS SECTION 13A OF LICENSING ACT 2003 (Item D2)**

The press and public were excluded during consideration of this item as the presence of members of the public and press would result in the disclosure of exempt information within the terms of the Local Government Act 1972.

RESOLVED:

That the licensee's personal licence be suspended for a period of 2 months.

The meeting ended at 8.20 pm

CHAIR

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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	16 October 2018		Highbury East

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE VARIATION APPLICATION
RE: SHELL HOLLOWAY, 104-106 HOLLOWAY ROAD, LONDON N7 8JE

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 benefits from a licence allowing:
 - The provision off sales of alcohol from 00:00 until 24:00 Monday to Sunday (24 hours);
 - The provision of late night refreshment from 23:00 to 05:00 Monday to Sunday
 - Opening hours from 00:00 until 24:00 Monday to Sunday (24 hours).
- 1.3 The variation application is to allow:
 - Vary the plan attached to the premises licence;
 - Remove and replace conditions on the licence detailed in Appendix 4 of this Report.

2. Relevant Representations

Licensing Authority	Yes – Conditions proposed
Metropolitan Police	Yes – Conditions proposed
Noise	Yes – Conditions proposed

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

3. Background

3.1 Papers are attached as follows:-

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

3.2 These premises are located in the Holloway and Finsbury Park Cumulative Impact Area therefore the Licensing Committee will need to consider Licensing Policy 2, which states that there is a presumption of refusal unless the Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives. However, Members will also need to consider Policy's 7 and 8 which look at the merits of an application, and whether they are justified in departing from the policy, especially where premises which are not alcohol-led as well as Licensing policy 15 to support the council in promoting public safety and minimising alcohol related crime and disorder on large scale event and match days.

3.3 The premises has held a licence for the sale of alcohol since November 2005.

4. Planning Implications

4.1 The Planning Department confirm there is no relevant planning history at this site and there are currently no planning enforcement investigations.

5. Recommendations

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

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

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 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 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 4/10/18

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

Section 1 of 18

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

System reference

Not Currently In Use

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

Your reference

SHELL HOLLOWAY

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

SHELL UK OIL PRODUCTS LIMITED

* Family name

N/A

You must enter a valid e-mail address

* E-mail

N/A

Main telephone number

020 7934 1234

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

3625633

Business name

SHELL UK OIL PRODUCTS LIMITED

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

VAT number

GB 235763255

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

Continued from previous page...

Legal status

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 LICENSING ASSISTANT

Home country United Kingdom

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name LOCKETT HOUSE

Street 13 CHURCH STREET

District

City or town KIDDERMINSTER

County or administrative area

Postcode DY10 2LE

Country United Kingdom

Section 2 of 18

APPLICATION DETAILS

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

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

* Premises Licence Number LN\2484-070309

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 SHELL HOLLOWAY

Street 104 - 116 HOLLOWAY ROAD

District

City or town LONDON

County or administrative area

Postcode N7 8JE

Country United Kingdom

Premises Contact Details

Telephone number 02077 008900

Continued from previous page...

Non-domestic rateable
value of premises (£)

55,500

Section 3 of 18

VARIATION

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

Yes No

Date variation to take effect
from

/ /
dd mm yyyy

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

Yes No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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

CONVENIENCE STORE LOCATED ON A PETROL FORECOURT TRADING UNDER COMPANY OWN FORMAT SERVING THOSE LOCALLY AND FROM FURTHER AFIELD.

THE VARIATION APPLICATION IS TO:

- 1) AMEND THE SITE PREMISES NAME FROM 'SHELL HOLLOWAY' TO 'SHELL WAITROSE HOLLOWAY'
- 2) UPDATE TO THE FOOTPRINT AND INTERNAL LAYOUT AT SITE AND CONSEQUENTLY UPDATING THE PLAN ATTACHED TO THE PREMISES LICENCE
- 3) REMOVE CONDITION 4 ON ANNEX 2 OF THE PREMISES LICENCE AND REPLACE WITH THE FOLLOWING UPDATED CONDITION:

4. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving

Continued from previous page...

licence and PASS accredited identification card.

4) ADD THE FOLLOWING CONDITIONS TO THE PREMISES LICENCE

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

The Premises Licence holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the Premises Licence. The display of bulk stacks will not be located where they may impact on the ability of customers to use exits or escape routes without impediment.

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

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

Yes No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

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

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

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

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

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

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Continued from previous page...

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

Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

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

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

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

Yes No

Section 11 of 18

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

See guidance on regulated entertainment

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

Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

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

Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

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

Yes No

Section 14 of 18

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.

Continued from previous page...

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

NONE

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

NONE

Continued from previous page...

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

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

NONE

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

Condition 4. on annex 2 of the premises licence - Conditions Consistent with the Operating Schedule

This condition will be replaced with an updated condition as per Section 16

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

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

The current premises licence has not been included with this application as we are yet to receive an updated licence at our offices following a DPS variation application submitted 28/06/2018.

Section 16 of 18

LICENSING OBJECTIVES

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

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

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

In addition to the conditions already list on the premises licence - the following conditions will also support the licensing objectives

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

Continued from previous page...

The Premises Licence holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the Premises Licence. The display of bulk stacks will not be located where they may impact on the ability of customers to use exits or escape routes without impediment.

b) The prevention of crime and disorder

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

c) Public safety

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.

d) The prevention of public nuisance

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

e) The protection of children from harm

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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	MARK BROWN P.P. LOCKETT & CO
* Capacity	DULY AUTHORISED AGENTS
* Date	07 / 08 / 2018 dd mm yyyy

Add another signatory

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

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

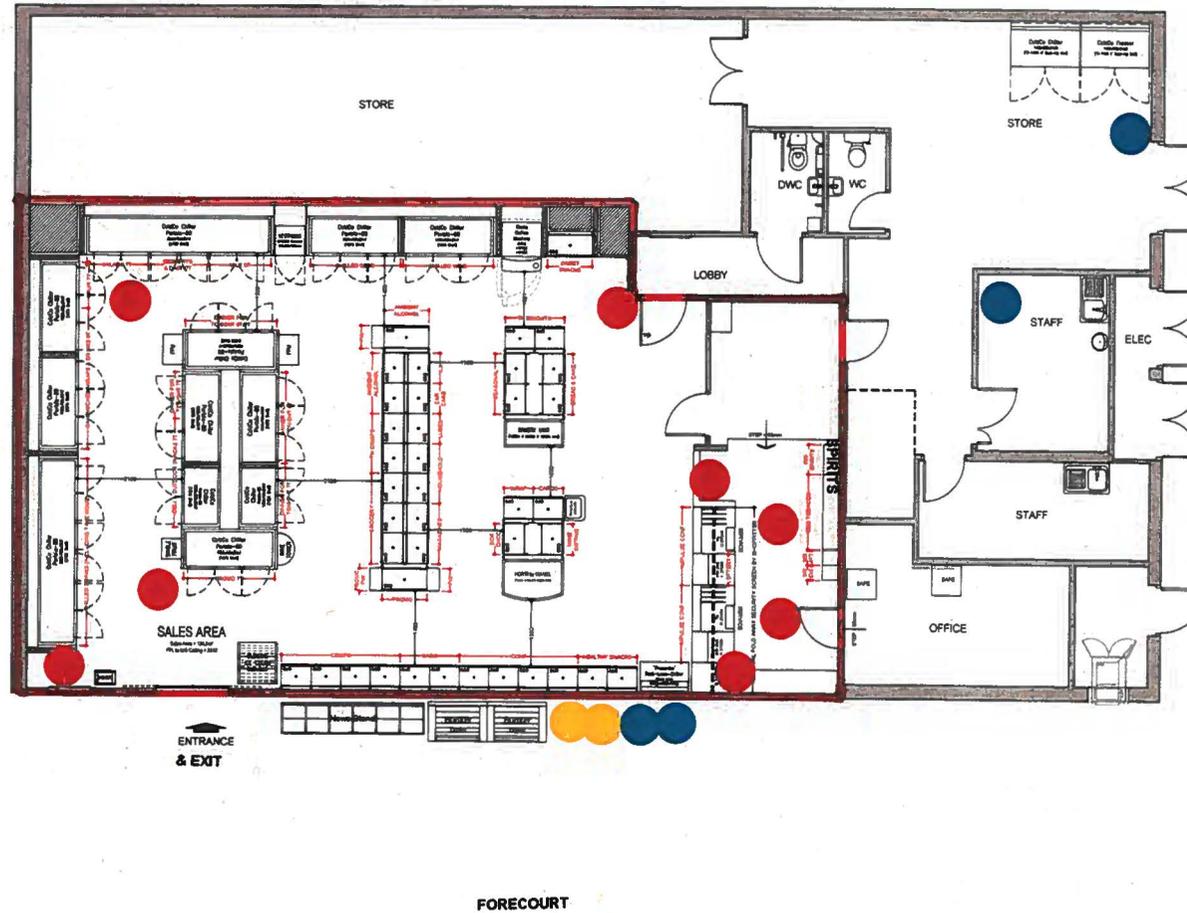
Don't forget to make sure you have all your supporting documentation to hand.

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

OFFICE USE ONLY

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

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >



Key:

- - CCTV camera.
- - Fire extinguisher.
- - Fire bucket.
- - - - Area to be licensed for sale of alcohol for consumption off the premises and late night refreshment (LNR).



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/2404-200618	Date of original grant*	24 th November 2005
--------------------------------	----------------	--------------------------------	--------------------------------

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

Postal address of premises, or if none, ordnance survey map reference or description			
SHELL HOLLOWAY 104 - 106 HOLLOWAY ROAD			
Post town	London	Post code	N7 8JE
Telephone number	0207 700 1804		

Where the licence is time limited the dates
Not Applicable

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

The times the licence authorises the carrying out of licensable activities																																																															
Delete any that do not apply																																																															
<ul style="list-style-type: none"> The provision of late night refreshment: <table border="0"> <tr> <td>Monday</td> <td>23.00</td> <td>to</td> <td>05.00</td> <td>the following day</td> </tr> <tr> <td>Tuesday</td> <td>23.00</td> <td>to</td> <td>05.00</td> <td>the following day</td> </tr> <tr> <td>Wednesday</td> <td>23.00</td> <td>to</td> <td>05.00</td> <td>the following day</td> </tr> <tr> <td>Thursday</td> <td>23.00</td> <td>to</td> <td>05.00</td> <td>the following day</td> </tr> <tr> <td>Friday</td> <td>23.00</td> <td>to</td> <td>05.00</td> <td>the following day</td> </tr> <tr> <td>Saturday</td> <td>23.00</td> <td>to</td> <td>05.00</td> <td>the following day</td> </tr> <tr> <td>Sunday</td> <td>23.00</td> <td>to</td> <td>05.00</td> <td>the following day</td> </tr> </table> The sale by retail of alcohol: <table border="0"> <tr> <td>Monday</td> <td>00.00</td> <td>to</td> <td>24.00</td> </tr> <tr> <td>Tuesday</td> <td>00.00</td> <td>to</td> <td>24.00</td> </tr> <tr> <td>Wednesday</td> <td>00.00</td> <td>to</td> <td>24.00</td> </tr> <tr> <td>Thursday</td> <td>00.00</td> <td>to</td> <td>24.00</td> </tr> <tr> <td>Friday</td> <td>00.00</td> <td>to</td> <td>24.00</td> </tr> <tr> <td>Saturday</td> <td>00.00</td> <td>to</td> <td>24.00</td> </tr> <tr> <td>Sunday</td> <td>00.00</td> <td>to</td> <td>24.00</td> </tr> </table> 	Monday	23.00	to	05.00	the following day	Tuesday	23.00	to	05.00	the following day	Wednesday	23.00	to	05.00	the following day	Thursday	23.00	to	05.00	the following day	Friday	23.00	to	05.00	the following day	Saturday	23.00	to	05.00	the following day	Sunday	23.00	to	05.00	the following day	Monday	00.00	to	24.00	Tuesday	00.00	to	24.00	Wednesday	00.00	to	24.00	Thursday	00.00	to	24.00	Friday	00.00	to	24.00	Saturday	00.00	to	24.00	Sunday	00.00	to	24.00
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The opening hours of the premises:

Monday	00.00	to	24.00
Tuesday	00.00	to	24.00
Wednesday	00.00	to	24.00
Thursday	00.00	to	24.00
Friday	00.00	to	24.00
Saturday	00.00	to	24.00
Sunday	00.00	to	24.00

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

Off supplies

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

Shell UK Oil Products Limited
Shell Centre
London
SE1 7NA
0207 934 1234

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

3625633

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

Serwa Agyeman-botchey

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

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

James Gibbons
Assistant Director - Public Protection

18/7/18
Date of Issue

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

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

Annex 2 - Conditions consistent with the Operating Schedule

1. CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer with 24 hours of any request.
2. The precise position of the cameras shall be agreed if necessary with the Metropolitan police service.
3. Persons leaving the premises will be advised, either by written notice or verbally, to leave the area quietly and without causing disturbance in the neighbourhood.
4. The Licensee shall ensure that
 - a) staff receive instruction and training about age restricted products
 - b) staff know what current proof of age documents look like.
 - c) staff understand how difficult it is to accurately judge the age of young people
 - d) staff ask for proof of age when dealing with young people
 - e) a notice is displayed next to the till or have a till sticker to remind staff about age restricted products.
 - f) a record is kept of refused sales

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

Not applicable

Annex 4 - Plans

Reference Number 4514

From: [LicensingPolice](#)
To: [REDACTED]
Subject: Premises Licence Variation SHELL SELECT , SHELL GARAGE , 104-116 HOLLOWAY ROAD , ISLINGTON , LONDON N7 8JE
Date: 11 August 2018 04:47:56
Attachments: [no street drinking sign.pdf](#)
[Emirates off licence letter August 2017.doc](#)

Dear Mark

Thank you for the application for the Premises Licence [Variation] you submitted on 07/08/2018 on behalf of Shell UK Oil Products Ltd in regard to their premises at 104-116 HOLLOWAY ROAD , ISLINGTON , LONDON N7 8JE .

In your variation application submission re Section 3 of 18 on the form police have no issue with your points 1 or 2 .

I would ask that the remainder be reformatted to reflect the previous communication between the council licensing manager Terrie Lane and Paolo Zaffino as it does not appear to cover the points of advice from Licensing Police and wording previously supplied as per the attached email chain .

Here again for clarity are what I would like to recommend for your consideration and that of your client :

3) In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:

- (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
- (b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
- (c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;
- (d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours..

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

- (a) Any and all allegations of crime or disorder reported at the venue
- (b) Any and all complaints received by any party
- (c) Any faults in the CCTV system
- (d) Any visit by a relevant authority or emergency service
- (e) Any and all ejections of patrons
- (f) Any and all seizures of drugs or offensive weapons
- (g) Any refusal of the sale of alcohol

5) CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will 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.
- (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
- (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;

- (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
- (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
- (f) The system will record in real time and recordings will be date and time stamped;
- (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
- (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act 1998) within 24 hours of any request

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

7)The football match and event day conditions are:

- **No sales of alcohol in glass containers to be undertaken during the period 4 hours before kick-off until 1 hour after the game finishes.**
- **No more than four cans or plastic bottles of beer, lager or cider to be sold to an individual**
- **No sales of beer, lager or cider above 5.5% abv during the above period**
- **All persons buying alcohol, at any time, to be advised by way of a notice in the windows and verbally where necessary of the Controlled Drinking Zone (CDZ) - which covers the whole Borough and does not allow drinking in the street.**
- **Alcohol sales will cease if requested to do so by a police officer or Council Licensing Officer.**

Condition 5 re CCTV above would be a replacement for the current Annex 2 conditions 1 and 2 .

Any points remaining from your point 3 re training and point 4 re spirits and bulk stacks police would also not object to and could follow under 8 , 9 and 10 possibly I'd suggest .

The missing wording and/or formatting as above for my points 3 to 7 I don't believe should be contentious and have hopefully just been lost in translation or the handover of the application from Paolo to yourself and can be amended .

I am back in the office on Wednesday 15/08/2018 after having worked this weekend and will call you then for your further thoughts so that we can endeavour to resolve this ahead of the last date for representations of 04/09/2018 .

Kind regards

Tim

PC Tim Livermore 3472CN
Islington Police Licensing Officer
Environment & Regeneration
Islington Council



Street drinking
is not permitted
at anytime.



TERRITORIAL POLICING

The Designated Premises Supervisor
Off Licence Premises

**Islington Borough
Licensing Department**
Islington Police Station
2 Tolpuddle Street
London
N1 0YY
Tel: 07799 133 204

August 2017

Sale of Alcohol on Arsenal Football Home Match and Event Days

Dear Sir / Madam

As the Designated Premises Supervisor for an off licence premises you will be aware of the impact the consumption of alcohol can have upon people during a large sporting event and that it can at times be a significant factor for disorder and / or anti-social behaviour.

In order to reduce the threat of alcohol induced violence and anti-social behaviour in the Islington area the Local Authority imposed a ban in 2009 on Street Drinking under the Criminal Justice & Police Act 2001. This means that Islington is a **Controlled Drinking Zone where drinking alcohol in the street is banned.**

With all football matches played at the Emirates stadium crowds may often gather in the vicinity of your premises or pass by on the way to/from the stadium.

We therefore request that on any football match or major event day at the stadium:

- **No sales of alcohol in glass containers to be undertaken during the period 4 hours before kick-off until 1 hour after the game finishes.**
- **No more than four cans or plastic bottles of beer, lager or cider to be sold to an individual**
- **No sales of beer, lager or cider above 5.5% abv during the above period**
- **All persons buying alcohol, at any time, to be advised by way of a notice in your window and verbally where necessary of the Street Drinking ban – the notice is provided for you by the Council, if you have not received one please contact Licensing on 0207 527 3031.**
- **Be prepared to cease the sale of all alcohol should you be requested to do so by a police officer**

We believe that by implementing these measures you will be displaying a responsible attitude in complying with your obligations under Section 4(2) of The Licensing Act 2003 in relation to the licensing objectives.

We would also like to inform you that plain clothes officers may be on duty during these times and they will be tasked to record and where necessary take enforcement action against premises selling alcohol in contravention of any relevant legislation.

This is a requirement for all home matches and event days. We are seeking your assistance and look forward to working with you on match and event days to ensure a safe and pleasurable experience to all supporters visiting the Emirates stadium.

We thank you for your co-operation and look forward to working with you in the coming season.

Steve Harrington
Licensing Officer
Islington Police Licensing
licensingpolice@islington.gov.uk

Terrie Lane
Licensing Manager
Public Protection Division
Islington Council
licensing@islington.gov.uk

From: Lane, Terrie
To: [REDACTED]
Cc: Licensing; LicensingPolice; Tomashevski, Katie
Subject: SHELL HOLLOWAY 104-116 Holloway Road London N7 8JE
Date: 21 August 2018 13:36:11
Attachments: image002.jpg

Dear Sir,

Further to your application to vary the Premises Licence for the above premises, I am submitting this email as a representation to the application by the Licensing Authority.

The Licensing team is very concerned that the premises is directly on the footprint for fans going to and from Emirates Stadium and, that there is nothing on the licence conditions or application that addresses the impact the consumption of alcohol can have upon people during a large sporting or major event and that it can at times be a significant factor for disorder and / or anti-social behaviour. In order to reduce the threat of alcohol induced violence and anti-social behaviour in the Islington area the Local Authority imposed a ban in 2009 on Street Drinking in Islington and have recently updated and incorporated it under a Public Spaces Protection Order. This means that Islington is a Controlled Drinking Zone where drinking alcohol in the street may lead to confiscation and a fine. With all football matches played at the Emirates stadium crowds may often gather in the vicinity of your premises or pass by on the way to/from the stadium.

We therefore suggest the following conditions be attached to the premises licence that:

On any football match or major event day at the stadium:

- No sales of alcohol in glass containers to be undertaken during the period 4 hours before kick-off until 1 hour after the game finishes.
- No more than four cans or plastic bottles of beer, lager or cider to be sold to an individual
- No sales of beer, lager or cider above 5.5% abv during the above period
- All persons buying alcohol, at any time, to be advised by way of a notice in your window and verbally where necessary of the Street Drinking ban (the notice can be provided to you by the licensing team)
- Will cease the sale of all alcohol if requested to do so by a police officer or authorised officer of the Licensing Authority.

We believe that by implementing these measures you will be displaying a responsible attitude in complying with your obligations under Section 4(2) of The Licensing Act 2003 in relation to the licensing objectives.

Please consult with your client and let me know if these conditions are acceptable. If they are accepted I will withdraw the Local Authority's representation.

Kind regards

Terrie Lane

**Licensing Manager
Public Protection Division
222 Upper Street
London N1 2XR**

[REDACTED]
or 0207 527 3031

www.islington.gov.uk

Islington Commitment signature banner





Islington Licensing Authority Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

Your Name	Anne Brothers	
Job Title	Noise Liaison Officer	
Postal and email address	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk	
Contact telephone number	020 7527 3047	
Name of the premises you are making a representation about	Shell Holloway	
Address of the premises you are making a representation about	104-116 Holloway Road, London N7 8JE	
Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent public nuisance	Yes	There is no requirement for signage in this 24-hour garage. In addition we have received a call in the past regarding a PA system in use at night.
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<ul style="list-style-type: none"> • Clear prominent signage will be displayed in the forecourt area requesting that customers consider residents in the area when they use the shop and leave the area quietly without causing disturbance in the neighbourhood. • Any PA system shall not be used except in emergencies between the hours of 22:00 – 09:00. 	

Signed: Anne Brothers Date: 21 August 2018 _____

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

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

Conditions of the existing premises licence

Annex 2 conditions

1. **(Condition requested by the Police below)** CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer with 24 hours of any request.
2. **(Condition requested by the Police below)** The precise position of the cameras shall be agreed if necessary with the Metropolitan police service.
3. Persons leaving the premises will be advised, either by written notice or verbally, to leave the area quietly and without causing disturbance in the neighbourhood.
4. **(Removed)** The Licensee shall ensure that
 - a) staff receive instruction and training about age restricted products
 - b) staff know what current proof of age documents look like.
 - c) staff understand how difficult it is to accurately judge the age of young people
 - d) staff ask for proof of age when dealing with young people
 - e) a notice is displayed next to the till or have a till sticker to remind staff about age restricted products.
 - f) a record is kept of refused sales

Conditions proposed by Variation Application

1. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.
2. **(Condition requested by the Police below)** A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.
3. **(Condition requested by the Police below)** A challenge 25 policy will be operated at the premises. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.
4. **(Condition requested by the Police below)** An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.
5. Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.
6. The premises licence holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the premises licence. The display of bulk stacks will be located where they may impact on the ability of customers to use exits or escape routes without impediment.

Conditions suggested by the Metropolitan Police

1. In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:
 - (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
 - (b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
 - (c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;
 - (d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours

2. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record:
 - (a) Any and all allegations of crime or disorder reported at the venue
 - (b) Any and all complaints received by any party
 - (c) Any faults in the CCTV system
 - (d) Any visit by a relevant authority or emergency service
 - (e) Any and all ejections of patrons
 - (f) Any and all seizures of drugs or offensive weapons
 - (g) Any refusal of the sale of alcohol

3. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will 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.
 - (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
 - (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
 - (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
 - (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
 - (f) The system will record in real time and recordings will be date and time stamped;
 - (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
 - (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to data protection legislation) within 24 hours of any request

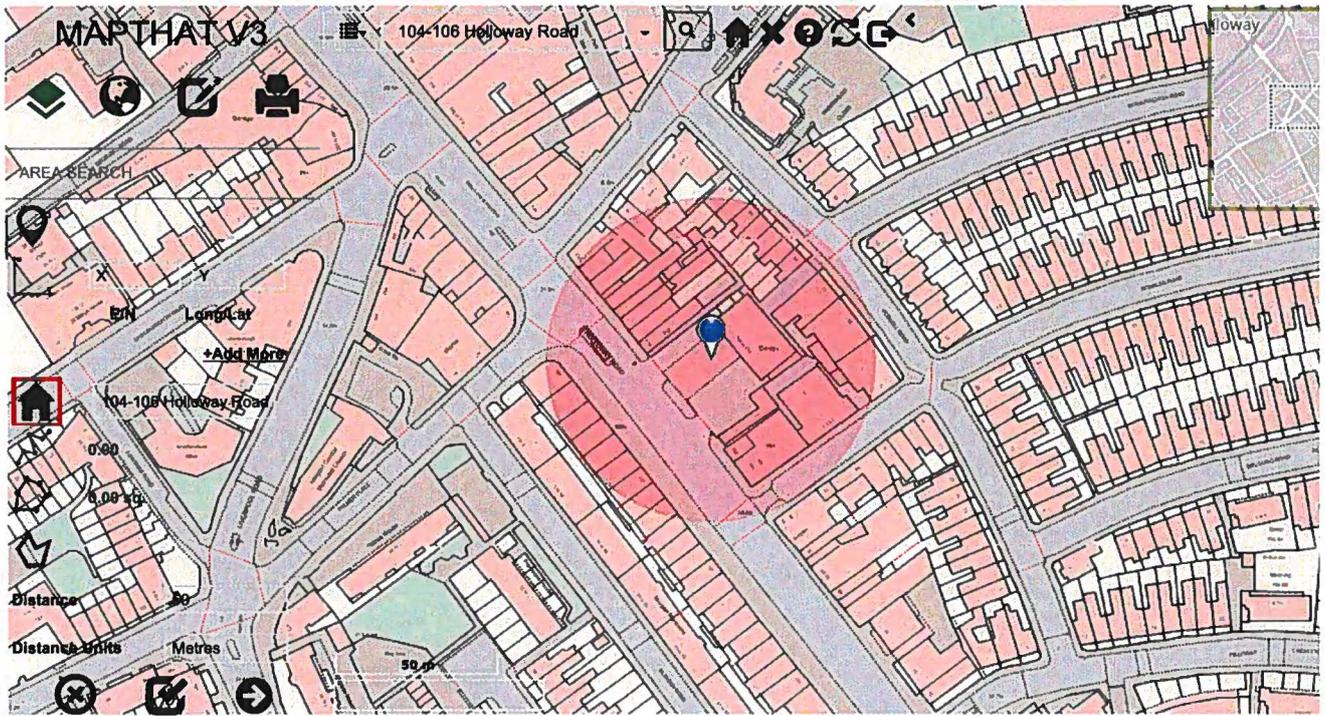
4. A proof of age scheme, such as Challenge (25), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as: a driving license or passport / holographically marked PASS scheme identification cards.

Condition suggested by Licensing Authority

5. On any football match or major event day at the stadium:
 - (a) No sales of alcohol in glass containers to be undertaken during the period 4 hours before kick-off until 1 hour after the game finishes;
 - (b) No more than four cans or plastic bottles of beer, lager or cider to be sold to an individual;
 - (c) No sales of beer, lager or cider above 5.5% abv during the above period;
 - (d) All persons buying alcohol, at any time, to be advised by way of a notice in your window and verbally where necessary of the Street Drinking ban;
 - (e) Will cease the sale of all alcohol if requested to do so by a police officer or authorised officer of the Licensing Authority.

Conditions suggested by the Noise Team

6. Clear prominent signage will be displayed in the forecourt area requesting that customers consider residents in the area when they use the shop and leave the area quietly without causing disturbance in the neighbourhood.
7. Any PA system shall not be used except in emergencies between the hours of 22:00 – 09:00.



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	16 October 2018		Bunhill

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Tayer and Elementary, 152 Old Street, London, EC1V 9BJ

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:

- Permit the provision of recorded music on Monday to Saturday from 23:00 – 00:00.
- Permit the provision of late night refreshment on Monday to Saturday from 23:00 – 00:00.
- Permit the supply of alcohol on Monday to Saturday from 11:00 – 00:00, and on Sunday from 12:00 to 22:30.
- The opening hours of the premises shall be Monday to Saturday from 11:00 – 00:30, and on Sunday from 12:00 to 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	Four
Other bodies	No:

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form; applicant's submission, dispersal policy and Make report
- Appendix 2: representations
- Appendix 3: suggested conditions and map of premises location

3.2 There are four residential representations in respect of this application. Two are formal objections and two are in support. It should be noted that one of the supporting representation is from someone who lives some way away from the premises.

3.3 The applicant submitted detailed supporting documentation with the initial application, this information has been forwarded to all parties for consideration, and is contained in this report.

4. Planning Implications

4.1 The planning department has confirmed that there is no planning conflict in terms of established use or conditions

5 Recommendations

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

5.2 These premises are located in the Bunhill Cumulative Impact Area therefore the Licensing Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.

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

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

6 Conclusion and reasons for recommendations

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

Background papers:

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

Final Report Clearance

Signed by



Service Director – Public Protection

4/1/0/18

Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

**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 Tayer Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Tayer and Elementary 152 Old Street			
Post town	London	Postcode	EC1V 9BJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£under construction

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

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

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/>	Please tick yes	
Nationality					
Current 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 Tayer Limited
Address PO Box EC3A 6AB, Mhs Sprecher Grier 3rd Floor, St Helen's Place, London, England, EC3A 6AB
Registered number (where applicable) 09985007
Description of applicant (for example, partnership, company, unincorporated association etc.) limited 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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>Tayer and Elementary is an all-day food operation with seating throughout and modern European food on offer to support people visiting the area in the day, and a high-class cocktail bar in the evening, that also offers drinks pairing with ancillary food dishes.</p> <p>The premises is within a newly redeveloped mixed-use building comprising 11 floors of offices (LG-8th floor) and four A1/A3/A4 units on the ground floor.</p>

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<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								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat								
Sun								

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	00:00			
	-----	-----			
Tue	23:00	00:00			
	-----	-----	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	23:00	00:00			
	-----	-----			
Thur	23:00	00:00			
	-----	-----	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	23:00	00:00			
	-----	-----	From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.		
Sat	23:00	00:00			
	-----	-----	On Sundays prior to bank holidays/public holidays 11:00 – 00:00		
Sun					
	-----	-----			

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" 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	23:00	00:00			
Tue	23:00	00:00			
Wed	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	00:00			
Fri	23:00	00:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day. On Sundays prior to bank holidays/public holidays 23:00 – 00:00		
Sat	23:00	00:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)					
Mon	11:00	00:00						
Tue	11:00	00:00						
Wed	11:00	00:00						
Thur	11:00	00:00				<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> (please read guidance note 6) From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day. On Sundays prior to bank holidays/public holidays 11:00 – 00:00		
Fri	11:00	00:00						
Sat	11:00	00:00						
Sun	12:00	22:30						

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

Name Alex Kratena	
[REDACTED]	
[REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 857748	
Issuing licensing authority (if known) LB Southwark	

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).

n/a

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.</p> <p>On Sundays prior to bank holidays/public holidays 11:00 – 00:00</p>
Mon	11:00	00:30	
Tue	11:00	00:30	
Wed	11:00	00:30	
Thur	11:00	00:30	
Fri	11:00	00:30	
Sat	11:00	00:30	
Sun	12:00	23:00	

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

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

Please see attached schedule of conditions addressing the licensing objectives and Bunhill Cumulative Impact Policy

b) The prevention of crime and disorder

Please see attached schedule of conditions addressing the licensing objectives and Bunhill Cumulative Impact Policy

c) Public safety

Please see attached schedule of conditions addressing the licensing objectives and Bunhill Cumulative Impact Policy

d) The prevention of public nuisance

Please see attached schedule of conditions addressing the licensing objectives and Bunhill Cumulative Impact Policy

e) The protection of children from harm

Please see attached schedule of conditions addressing the licensing objectives and Bunhill Cumulative Impact Policy

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. **Electronic Submission - LA to serve RA's**
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>Thomas and Thomas</i>
Date	03/08/2018
Capacity	Thomas & Thomas Partners LLP as solicitors on behalf of the applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) ref: EC/TB/TAY.2.1 Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	020 7042 0415		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) tburton@tandtp.com			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].

- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

Application for Premises Licence

**Tayer Ltd t/a Tayer and Elementary
152 Old Street EC1V 9BJ**

APPLICATION SUMMARY

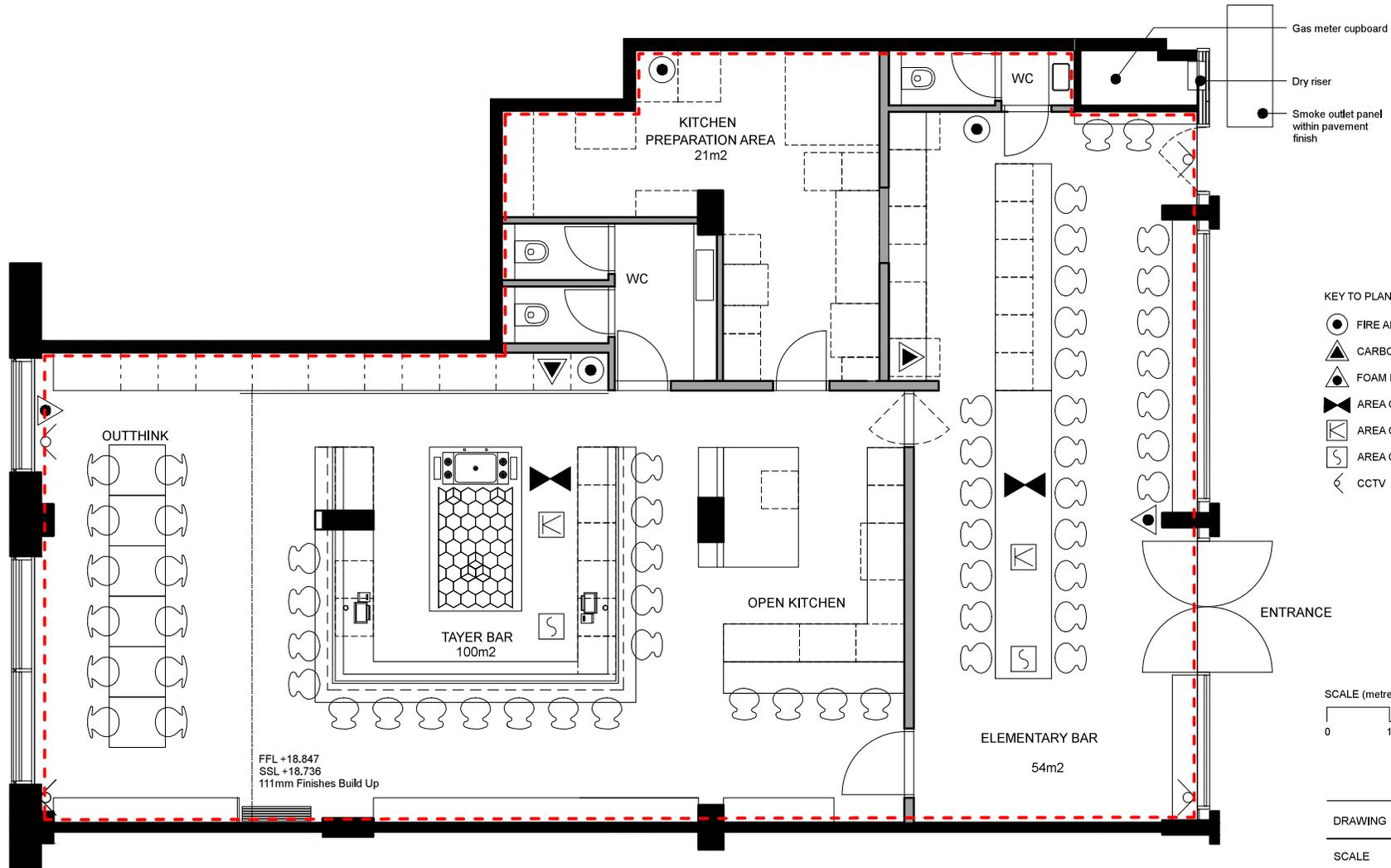
Proposed Hours

Sale of Alcohol (on and off)	Monday – Saturday: 11:00 – 00:00 Sunday: 12:00 – 22:30
Late Night Refreshment	Monday – Saturday: 23:00 – 00:00
Recorded Music	Monday to Saturday: 23:00 – 00:00
Opening Hours	Monday – Saturday: 11:00 – 00:30 Sunday: 12:00 – 23:00
Non-standard hours	From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day. On Sundays prior to bank holidays/public holidays 12:00 – 00:00

Proposed Conditions:

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. An incident book shall be used to record all instances of public disorder.
3. Except for any designated external seating areas, alcoholic and other drinks purchased from the premises may not be taken away from the immediate curtilage of the premises in open containers such as glasses or opened bottles.
4. 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.
5. Refuse such as bottles must be placed into receptacles outside the premises at times 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. During the hours that regulated entertainment takes place, windows shall be closed and doors closed so far as reasonably practicable.
8. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
9. A dedicated licensed taxi/mini cab service shall be available with the premises for customers.

10. A minimum of 1 SIA licensed door supervisor shall be on duty at the entrance of the premises Monday to Sunday from [19:00].
11. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
12. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
13. Non-intoxicating beverages, including drinking water, shall be available on the premises.
14. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
15. 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.
16. 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
17. The holder of the premises licence shall subscribe to and participate fully in the local pub/club/shop watch scheme.
18. On Mondays to Saturdays no collections or deliveries shall take place at the premises between **(19.00)** and **(07.00)** on the following day. There shall be no collections or deliveries on Sundays or Bank Holidays.



KEY TO PLAN SYMBOLS

- FIRE ALARM CALL POINT
- ▲ CARBON DIOXIDE FIRE EXTINGUISHER
- ▲ FOAM FIRE EXTINGUISHER
- AREA COVERED BY EMERGENCY LIGHTING
- ▣ AREA COVERED BY AUTOMATIC HEAT DETECTORS
- ▢ AREA COVERED BY AUTOMATIC SMOKE DETECTORS
- ⊗ CCTV

SCALE (metres)



DRAWING	GROUND FLOOR LICENCE DRAWING
SCALE	
DATE	FEBRUARY 2018

IN THE LICENSING ACT 2003

AND IN THE MATTER OF 152 OLD STREET, EC1

APPLICANT'S SUBMISSIONS

The Applicant

1. Tayer and Elementary is a bar and restaurant with an open kitchen and seating throughout, to support and encourage people visiting the area in the day; all-day offer with a high-class cocktail bar in the evening, offering drinks pairing with ancillary food dishes. This is an owner managed business, unlike some of the multiples and Alex Kratena & Simone Caporale are highly experienced having created the Artesian at The Langham Hotel.

The Location

2. The premises is within a newly redeveloped mixed-use building comprising 11 floors of offices and 4 retail/restaurant units on the ground floor, for which planning permission has already been granted in September 2015. The site is the former Royal Mail Office at 148 Old Street, now renamed 160 Old Street. It is situated in the Bunhill Cumulative Impact Area.

Islington Council's Statement of Licensing Policy 2018-2022 ("the Policy") states in Licensing Policy 1:

"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."

Planning ref P2018/4519/FUL was recently granted for the use and hours consistent with the licensing application, a copy of which is attached. That use fully accords with the requirements of the Council's planning policy DM4.3 and Site Allocation BC19, namely:-

- *The area does not contain a concentration of similar uses and the proposed change of use will not result in any negative cumulative impacts;*
- *The proposed change to flexible use would not give rise to any impacts on amenity grounds, and there are no proposed design changes;*
- *There are no schools or sensitive community facilities in proximity to the site; and*
- *An active frontage to Old Street will be maintained and the additional flexibility will allow for a larger range of businesses to occupy the space.*

The Application

3. The proposed hours are:

Sale of Alcohol (on and off)	Monday – Saturday: 11:00 – 00:00 Sunday: 12:00 – 22:30
Late Night Refreshment	Monday –Saturday: 23:00 – 00:00
Recorded Music	Monday to Saturday: 23:00 – 00:00
Opening Hours	Monday – Saturday: 11:00 – 00:30 Sunday: 12:00 – 23:00
Non-standard hours	From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day. On Sundays prior to bank holidays/public holidays 12:00 – 00:00

Licensing Policy

4. Policy 5

Policy 5 states:

“Where representations are received from responsible authorities or other persons the Licensing Authority may seek to restrict hours of opening where it is appropriate to promote the licensing objectives.”

However, paragraph 75 of the Policy recognises the merits of individual applications: *“The Licensing Authority supports the principle of flexibility in its approach to licensing hours and will consider the merits of each individual application.”*

And paragraph 76 goes further showing the Council is aware that flexibility on hours may work well: *“The Licensing Authority is mindful of the argument that in some situations, longer licensing hours for the sale of alcohol can help to minimise the impact of large concentrations of customers leaving premises simultaneously.”*

5. Policy 6

This sets out the Council’s framework hours and it is noted that the application is applying for those framework hours on Fridays-Sundays. The proposed hours are one hour later than the Council’s framework hours on Monday to Thursday only.

“When dealing with new and variation applications the Licensing Authority will give more favourable consideration to applications with the opening and closing times listed in the table below:

*Public Houses and Bars
Sun- Thurs 8am- 11pm
Fri-Sat 8am – midnight”*

Paragraph 80 of the Policy explains further: *“The above hours are intended to guide applicants on the Licensing Authority’s expectations when preparing their Operating Schedules. The above hours are not pre-determined and each application will be considered on its merit.”*

At paragraph 84 the Policy says *“Applicants and licence holders who wish to provide licensable activities outside the hours specified above should ensure that the operating schedule specifies detailed measures to mitigate against crime, disorder and public nuisance taking into account:*

- *the location of the premises and the character of the area in which they are situated*
- *the proposed hours during which licensable activities will take place*
- *the adequacy of the applicant’s proposals to prevent crime and disorder and prevent public nuisance*
- *whether customers have access to public transport when arriving at or leaving the premises*
- *the proximity of the premises to other licensed premises in the vicinity and the hours of operation of those other premises policies and proposals for the orderly dispersal of customers.”*

As is clear from the Applicant’s proposed operating schedule, dispersal plan, the planning report and the report from MAKE Associates, the location and character of the premises are not a cause for concern neither is the dispersal of customers. SIA door staff will be in full control of this as one of several measures set out in the operating schedule to fully address the licensing objectives and indeed bring positive impact to the area.

In the Planning report for the site, at paragraph 3.10, it states re transport *“The site has a PTAL of 6b and therefore benefits from excellent connections to public transport. It is within 250m of Old Street underground and national rail stations. Liverpool Street Station is located approximately 1.2km to the south of the site which will be served by Crossrail. There are frequent bus services within walking distance of the site and Old Street provides an important pedestrian route.”*

This accords with Policy 19 which states *“In determining late night applications, the Licensing Authority will consider the arrangements for securing safe access to public transport facilities for customers leaving the premises.”*

6. Cumulative Impact – MAKE Associates report

The applicant has commissioned an expert report for licensing by MAKE Associates (attached), dealing with the hours applied for, cumulative impact, dispersal and looking at the effect of those on the following licensing objectives; prevention of public nuisance, prevention of crime and disorder and promotion of public safety which has been prepared with due regard to the Council’s Policy and code of good practice for licensed premises. The issues are therefore:

- (a) The use of the premises after 11.00 pm Mondays- Thursdays;
- (b) The conduct of customers as they leave the premises; and
- (c) The location of the premises inside the Bunhill Cumulative Impact Area.

The licensing authority and indeed the Council’s own guidance suggest that uses after midnight will receive more scrutiny for obvious reasons. The applicant only seeks a terminal hour of midnight Monday- Saturday. Customers will be supervised as they leave the premises by SIA security and indeed management.

Although new applications which are likely to add to the existing cumulative impact will normally be refused, the applicant believes they can and do 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, so as to justify an exception to the application of the policy as per paragraph 30 discussed below.

7. Licensing Policy 3

This Policy addresses Cumulative Impact, it states:

“This special policy creates a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impact on one or more of the licensing objectives”

At paragraph 11 of the Policy it importantly reiterates the Council’s position of reviewing each application independently on its merits: *“This special policy is not absolute and in some situation premises licences or club certificates may be subject to limitations. The circumstances of each application will be considered on its merits and the Licensing Authority shall grant applications where the applicant has demonstrated that the operation of the premise will not to add to the cumulative impact on one of more licensing objectives”*

Although the premises is situated within the Bunhill Cumulative Impact Area, as paragraph 29 of the Policy states the Council decided in its recent review of the Policy to retain this CIA but in doing so also provides possible exceptions to it therefore encouraging applications such as this one to be made:

“The review of our Licensing Policy in 2017 confirmed that the cumulative impact policy for Bunhill had achieved its objective and that this policy should continue for a further 5 years however within the scope of this policy the Licensing Authority is able to give more detailed guidance on the sort of applications that could be considered to be an exception to the cumulative policy for Bunhill.”

Possible exceptions to the Bunhill Cumulative Impact Policy

30. Applications with comprehensive operating schedules that meet all the following criteria may be able to demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives:

- a. The provision of mixed use or flexible premises that:
 - support the people visiting the area during the day
 - encourage people to stay in the area after work
 - support the wider cultural offer in the area
- b. Premises with hours of operation consistent with framework hours
- c. Premises that can demonstrate high standards of management with respect to preventing public nuisance associated with waste management & littering
- d. Commitment from the premises licence holder to
 - actively support Pubwatch through regular attendance and engagement at meetings
 - implement the Operation Nightsafe Best Practice Standards.”

The applicant's expert report from MAKE associates concludes that **no cumulative impact will be added to the area and may in fact bring a positive impact**. The premises is a mixed use flexible premises that will support people visiting the area during the day and encourage people to stay in the area after work. The introduction to the Policy states this as an aim at page 4 *"We want to encourage and support applications that contribute to the day time and evening economy, especially those that will widen socialising opportunities to people visiting, working and living in the borough."*

The Policy acknowledges the benefits to the area and economy as a whole that licensed premises can bring day and night at page 6 *"The Licensing Authority recognises that licensed premises make a significant contribution to the wellbeing of the borough by providing a wide variety of entertainment, arts and cultural activities, business, employment and career opportunities."*

8. Licensing policy 11

The applicants are extremely experienced operators with proven track records and history of running high end and well managed premises, in doing so they are fully committed to promoting all the licensing objectives and being involved in any local initiatives the Council supports, and conditioning such involvement on the premises licence.

"The Licensing Authority believes that applicants and premises licence holders operating, or aspiring to operate, well managed premises will want to work with responsible authorities to develop, support and share best practice. There are a number of schemes that the Licensing Authority promotes to support this objective:

- *Participation in local pubwatch*
- *Operation Nightsafe – Best Practice for Managing Venues*
- *Operation Nightsafe – Best Practice for Managing Off Licences*
- *The Licensees Charter - Pubs, bars and clubs to adopt"*

Conclusion

9. As the introduction to the Policy states at page 6: *"We want to encourage and support applications that contribute to the day time and evening economy, especially those that will widen socialising opportunities to people visiting, working and living in the borough This approach is consistent with not only our duty as a Licensing Authority to promote the four licensing objectives but also with the council's key commitment to creating a fairer borough and key strategic policies on economic development, employment and culture."*

In conclusion, the applicant believes it can prove that it can operate until midnight 6 nights a week and until 2300 on Sundays without adding to cumulative impact, nor causing a nuisance, indeed it believes it will be beneficial to the area. The application does provide the genuine policy exception as set out at Policy para 30 that fits with the Council's own ambitions for this part of Old Street.

DISPERSAL POLICY

Tayer & Elementary, 152 Old Street

1 Dispersal Policy

- 1.1 The objective of this Dispersal Policy is to ensure a quiet, controlled and swift dispersal of the Premises' customers.
- 1.2 The Dispersal Policy promotes a professional and responsible management of customers as they leave the Premises to ensure they make their journey home without any adverse impact in the local area.
- 1.3 The Policy prevents crime, disorder and nuisance from the following risks:
 - 1.3.1 Noisy or anti-social behaviour by customers leaving the Premises.
 - 1.3.2 Large numbers of people leaving the Premises at the same time.

Hours of Operation

- 1.5 The operational hours of the Premises will be:
 - 1.5.1 Monday to Saturday: 11:00 – 00:30.
 - 1.5.2 Sunday: 12:00 – 23:00
- 1.6 This Dispersal Policy will be followed throughout the opening hours above, although particular attention will be paid to customers leaving at night.

Entrances and Exits

- 1.7 The main entrance/exit of the Premises is on Old Street. This entrance will be monitored by staff inside the Premises at all times.
- 1.8 SIA registered door staff shall be employed in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
- 1.9 Notices will be positioned at the exit requesting customers to leave in a quiet manner.

Dispersal

- 1.10 The primary point of dispersal is the main exit. From this exit customers will disperse directly to the area's numerous transport links (see below).

1.11 Towards closing time the following measures are taken to ensure a gradual and quiet closure of the Premises:

1.11.2 Raised lighting levels.

1.11.3 Politely reminding customers the Premises is about to close.

Transport

1.12 Customers will arrive and depart by various modes of transport. Customers are welcomed straight into the Premises by members of staff. There will be no queuing or loitering on the street.

1.13 When arriving by taxi, customers and drivers will be reminded not to leave engines running unnecessarily, to keep conversation to a minimum and avoid slamming car doors. Unnecessary sounding of car horns will be not tolerated under any circumstances.

1.14 The Premises will be well serviced by public transport links, as set out below. All staff will be familiar with the transport links so they can advise customers when required.

1.15 Rail and Underground

1.15.1 The Premises are within walking distance of Old Street and Moorgate railway and underground stations.

1.16 Buses

1.16.1 The Premises is well serviced by public buses.

1.16.2 A number of bus stations are located within walking distance of the Premises, the closest being in Old Street, Bath Street, and Bunhill Row (Routes 55, 243, N55, 812, 21, 43, 76, 141, 214, 271).

1.16.3 Staff will be familiar with the local bus services and will advise customers accordingly.

1.17 Taxi

1.17.1 Taxis are readily available right through the day and night in the area. Customers will be encouraged to go directly into a waiting taxi when leaving the Premises.

1.17.2 If there are no available taxis, customers will be asked to wait inside the Premises until a taxi becomes available. This avoids customers waiting outside on the street unnecessarily.

1.17.3 Staff will assist customers calling a taxi if required.

- 1.17.4 Staff will remind drivers to keep noise to a minimum and avoid waiting with engines running.
- 1.17.5 Management and staff shall come to an arrangement with a private hire taxi company who will operate a ring back service. As above, customers will be encouraged to wait inside for their taxis.

152 Old Street:

An Independent Licensing Impact Assessment

A report by MAKE Associates

July 2018

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1. Background

1. This report highlights the methodology and findings of a study examining the likely licensing impact (positive, negative or neutral) of the opening of a licensed premises, to be known as Tayér / Elementary / Outhink a high-quality restaurant, cocktail and food-retail venue, located at 152 Old Street, London, EC1V 9HQ.
2. As independent licensing, crime and night-time economy expert witnesses, MAKE were asked by the legal representatives of 152 Old Street to examine the potential local impact of this new venue and to analyse the broader context of the night-time economy in and around the part of Old Street in which the venue will be located.

2. Aims

3. The specific aims of this research were:
 - i. To review existing evidence to ascertain levels of *crime and disorder*, *public nuisance* and *public safety* in the vicinity of the premises and, if present, to identify any venues that it may be linked to.
 - ii. To observe the new premises' vicinity during the operating hours it has applied for and to comment on any micro-geographical (street-by-street) variations regarding any issues of cumulative impact in the area.
 - iii. To comment on customer demographic likely to be using the venue, the wider western Old Street area and their relationship to any current issues, should they exist.
 - iv. To comment on the appropriateness of an application by the venue to open one hour beyond Islington Council's Cumulative Impact Area framework hours of 23:00hrs on certain nights.
 - v. To identify any broader planning, 'placemaking', management and enforcement issues connected with the opening and operation of the venue, Old Street and the surrounding area.

3. Approach

4. The approach to the study involved the following stages:
 - i. An experienced and trained researcher undertook an initial night's observation of 152 Old Street and the surrounding area from 21:00hrs on Friday 9th February 2018 through until 01:00hrs on the morning of Saturday 10th February 2018.
 - ii. A second night's observation of the same hours was undertaken the following night, Saturday 10th February 2018, through until 01:00hrs on the morning of Sunday 11th February 2018.
 - iii. We collected photographic evidence to explicate the written findings of our report. All of these images are included in this report.

- iv. Observations were made of any incidents that may be considered positive or negative within the framework of the four licensing objectives.
- v. We evaluated publicly available police recorded crime and ASB data in the area in order to understand levels of incidents in and around the venue and in Old Street, Shoreditch and Clerkenwell more generally.
- vi. We assessed relevant policies from Islington Council pertinent to licensing and night-time economy including the council's Cumulative Impact Policy (CIP) for Bunhill, in which the venue is situated.
- vii. We also reviewed the documentation that the applicant proposes to submit with the licence application for the proposed hours and other relevant operational materials. This included the proposed licence conditions.

4. Objectivity

- 5. It is important to note that although MAKE is briefed to undertake expert witness studies such as these by licensing committees, barristers and legal firms on behalf of their clients, our research is entirely independent and objective. Every aspect of our findings is included regardless of whether it is beneficial for the commissioner's end use of the report.
- 6. To this end, our studies are not always used because they may not be considered useful to the client (be that client a council, the police, or private business). We are compensated for our time regardless of whether our reports are published.
- 7. Further details of the lead researcher and MAKE's credentials can be found in the *Appendices*.

5. Findings

5.1. Overview

8. We have arranged our findings into four sections. The first section provides *context*. The remaining three sections address the three relevant licensing objectives: *prevention of crime and disorder*, *prevention of public nuisance* and *public safety*. We do not consider the fourth licensing objective, *protection of children from harm*, as this will not be relevant to a well-run upmarket venue with an appropriate operating schedule. We do not see any possible reason that this venue could pose harm to children.

5.2. Context

The venue

9. Tayér / Elementary / Outhink at 152 Old Street is currently under construction. It is part of the demolition and redevelopment of the former Royal Mail building on this site. The building will house several retail and licensed units on the ground floor and the upper floors will become home to media and news organisation Turner / CNN and up to 1,000 employees.
10. 152 Old Street is located in Islington Council's Bunhill Cumulative Impact Policy (CIP) area. The 'framework hours' for the Bunhill Cumulative Impact Policy are until 23:00hrs Sunday to Thursday and 00:00hrs on Friday and Saturday.
11. Tayér / Elementary / Outthink is applying to *open* from 11:00hrs to 00:30hrs Monday to Saturday and from 12:00hrs to 23:00hrs on Sundays.
12. For *entertainment* activities (e.g. live music, film etc.) the hours applied for mirror the opening hours above - 11:00hrs to 00:30hrs – Monday to Saturday. However, the venue is not applying for entertainment activities on a Sunday.
13. The *late-night refreshment* hours being applied for are 23:00hrs to 00:30hrs Monday to Saturday, but with no application for Sunday nights.
14. The hours for sale of *alcohol* being applied for are 11:00hrs to 00:00hrs Monday to Saturday and until 22:30hrs on Sundays (these being 30 minutes before closing for drinking up and to ensure smooth dispersal). This includes alcohol for consumption on and off the premises.
15. Thus, the application is broadly in line with the council's policy and aspirations for the area, however it does go slightly beyond the framework hours by requesting extra opening time during the week (Monday to Thursday until 00:30hrs - when the framework hours are until 23:00hrs).
16. The application for *opening* until 00:30hrs on Friday and Saturday is 30 minutes in addition to the framework hours of 00:00hrs, however alcohol sales will cease in line with the framework hours.
17. Sunday opening hours, alcohol sales and other licensable activities remain in line with the framework hours.

18. Thus, the question posed is: will Tayér / Elementary / Outthink opening slightly beyond framework hours negatively affect one or more of the licensing objectives? We address this in the remainder of this report.
19. Before we proceed to do this, it is worth noting that, of the 17th July 2018, Islington Council Planning Department, after an assessment of the venue, its operation, and consideration of the likelihood of any impact on residential amenity, crime, nuisance etc., granted a planning variation to allow the venue to open from 11:00hrs to 00:30hrs Monday to Saturday and from 12:00hrs to 23:00hrs on Sundays.
20. Whilst planning and licensing decisions must be taken individually on their merits, and does not negate our independent view or preclude the Licensing Committee from departing from the planners' decision, it would be remiss not to consider this an important material consideration in the assessment of the application.
21. In coming to our conclusion, we have reviewed the business model and presentation document for the venue and our understanding is that the interior design, drinks and food being served, and the target clientele will be aspirational locals, professionals and those working in floors above the venue. This will mark it out from the current offer of takeaways and value-oriented alcohol-led pubs in and around this part of western Old Street, which currently attract a "mainstream" demographic.
22. This substantial investment and the quality of local residential and professional clientele it will attract are not alone reasons for the council to grant the licence as requested. However, in light of the council's own Statement of Licensing Policy (page 14) which is seeking to support 'appropriate' development in the Bunhill area, it is clear the application broadly fits with the council's aspirations for this part of Old Street by: providing a new cultural facility; offering high quality after-work activities; and bringing an all-day food-led offer to the area. As the council's Statement of Licensing Policy notes:

"Applications with comprehensive operating schedules that meet all the following criteria may be able to demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives:
 - *The provision of mixed use or flexible premises that support the people visiting the area during the day.*
 - *[That] encourage people to stay in the area after work.*
 - *[That] support the wider cultural offer in the area."*
23. Despite the substantial 'placemaking' benefits, street level animation and additional leisure facility that Tayér / Elementary / Outthink will bring to local residents and workers, in our experience councils and communities can be concerned when venues apply for a licence that goes beyond framework hours, even if by only one hour, as in this case. There is a legitimate concern that the licensing objectives, particularly the *prevention of crime and disorder*, the *prevention of public*

nuisance (and to a lesser extent) the *promotion of public safety* may be impacted. Where alcohol is sold, concerns tend to be more acute.

24. We consider these likely concerns in more detail below.

The western Old Street / Bunhill area

25. However, before proceeding to these concerns, it is important to note that at MAKE we comprehensively understand Shoreditch / Clerkenwell / Old Street as a leisure, retail, residential and commercial neighbourhood. Our team has visited the area for the past twenty years on at least a monthly basis, both during the day and at night. We therefore understand how its demographic, land-use and character has changed over time.
26. As all parties will be aware, the night-time economy in this part of London has changed hugely in the past 15 years. This has brought many benefits (tourism, choice, jobs, regeneration, economic development), but it has also meant rises in certain types of *crime and disorder* and *public nuisance*. This puts pressure on public services such as the police and council, for example, in terms of cleansing, noise complaints (*public nuisance* – see below) and place management, as well as disturbances to existing residents.
27. We do not propose to say more about these changes here as they are well covered in Islington’s own *Licensing Policy* (and that policy’s evidence base) as well as the borough’s other place and spatial planning documents.
28. In terms of the venue’s exact location in Bunhill, this is situated on the western half of Old Street. This is *substantially* quieter than the eastern end of Old Street (the majority of which is in neighbouring Hackney). However, there is still moderate footfall here, particularly on weekend nights and the council has not introduced the Bunhill cumulative impact policy here without what it considers good reason. Indeed, one of the issues we will return to is that while there are only two alcohol-led venues in the immediate vicinity, The William Blake and the Masque Haunt, a very small minority of their customers were occasionally problematic on our observation nights.
29. It is worth noting that, other than these two-large alcohol-led premises (albeit they also serve food), there are no other significantly sized bars, pubs or clubs in this immediate part of Bunhill (which is a very large cumulative impact zone). Even as far as the junction of Old Street with Golden Lane (315 metres west of No 152 Old Street), there are only eight other small licensed premises, and all are food-led:
- a. William Blake (174-180 Old Street, Stonegate value-oriented pub, 01:00hrs¹)
 - b. Masque Haunt (168-172 Old Street, large Weatherspoon’s value-oriented pub, 00:00hrs)
 - c. Lost River Bar and Kitchen (122 Old Street, kitchen and craft beer / brew venue, 00:00hrs)

¹ These are typical weekend closing times, rather than necessarily their licensable hours.

- d. City Express (120 Old Street, off-licence, 03:00hrs)
 - e. Best Kebabs (118 Old Street, small late-night takeaway, 03:00hrs)
 - f. Thai City (110 Old Street, formal restaurant, 23:00hrs)
 - g. Posh Burger Company (96 Old Street, small burger restaurant, 23:00hrs)
 - h. Turkish Kebab (94 Old Street, small late-night takeaway, 02:00hrs)
 - i. Jane Roe Kitchen (90 Old Street, moderate sized restaurant, 22:00hrs)
 - j. Lodos Food Centre (87-91 Old Street, off-licence and supermarket, 24 hours)
30. During our two nights of observations no users of the other eight licensed premises caused any issues under the licensing objectives. (This is not to say that this has *never* happened - for example, late at night the users of takeaways can sometimes be the source of noise-based *public nuisance*).
31. Beyond the junction with Golden Lane there are a further six premises on the extreme western end of Old Street. This area, which could more properly be considered Clerkenwell than Shoreditch, includes the presence of venues such as The Gibson, L'Artigiano, Look Mum No Hands and Clerkenwell Grind. These are all relatively recent openings and suggesting positive investment at street level here of a better-quality leisure offer that will serve both residents and visitors the area well. The challenge for the council is to replicate this along the whole of the western half of Old Street, whilst retaining a diverse and useful set of shops and services.
32. Our view is that Bunhill CIP as a whole is complex and it varies *substantially* from street to street. This is in terms of overall land-use, specific types of licensable activity, issues of *crime and disorder* / *public nuisance* and the customer types attracted by the various venues.
33. The part of Old Street that No 152 is located in feels like a 'no man's land' at present. It is neither Shoreditch - which is considerably more intense, but neither is it Clerkenwell - which is much more cohesively developed as a 'place' and as a business and residential neighbourhood. Yes, there are a few shops near 152 Old Street, such as the Coop, Argos etc. located opposite, as well as St Luke's, home of the hugely respected London Symphony Orchestra, but the street-level urban environment here is generally poor and the leisure options are substantially lacking.
34. Independents are now seeking to open in the vicinity (such as Lost Rivers), which is starting to lend the area its first coherence and some much-needed identity. It is imperative that the council is able to manage this change so that existing residents retain services (such as the Coop and Argos, the barbers and dry cleaners) but at the same time 'curate' (through planning and licensing policy) better quality operators whose proposition will appeal to those aspirational residents and new professionals working in the area (in line with the extract from Islington's Statement of Licensing Policy quoted above). Tayér / Elementary / Outhink at No 152 and similar new openings will be critical to the council realising this ambition.

35. The residential density also varies substantially from street to street in Bunhill, with some large enclaves of social housing on or adjacent to Old Street, such as the Wenlake and Redbrick estates (the latter being opposite 152 Old Street). Clearly it is important that Tayér / Elementary / Outhink does not attract the kind of clientele to the area who then go on to cause problems for these (often longstanding) residents. (NB Having examined the food and drink offer, the business model, interior design, proposed licence conditions - with an SIA door supervisor and rules on not taking glasses outside -we concluded that any risk here is has been addressed).
36. Our observations and desk research show that transport to and from the area (and to 152 Old Street specifically) is / will be primarily be by a combination of London Underground (24hr at weekends / 00:27-00:37hrs on weekdays), Hackney carriage or minicab / Uber or on foot from other parts of Shoreditch.
37. The transport infrastructure works well and pavements cope effectively with the current pedestrian volumes, which are actually quite low in this part of Old Street (relative to eastern Old Street). Our experience tells us that a venue the size of 152 Old Street will not impact negatively on this existing situation.
38. Our observation showed that when issues (e.g. noise and littering) do occur on this western side of Old Street (and are not linked to occasional users of the two large pubs noted above), it is the result of people passing through the area from Shoreditch later at night rather than from the customers of a 'cumulative presence' of licensed premises in this area. Indeed, examining the ASB and crime figures for western Old Street itself (see *Appendices*) these are notably lower than some other parts of the Bunhill CIP area or neighbouring Shoreditch.
39. From our experience of observing the area, there is also considerable ambient noise - from high levels of vehicular traffic, sirens, air conditioning units and cars with loud sound systems. However, it remains understandable that residents, particularly in summer - when they may have their windows open - may be disturbed late at night by a minority of inconsiderate individuals who have been out socialising in the Shoreditch area.

5.3. Prevention of crime and disorder

40. We examined the 2017 Metropolitan Police Service statistics for recorded violent crimes and sexual offences reported to the police for this area. (See *Appendices*).
41. Overall, the most intense hotspots for violent crimes and sexual offences are around Old Street Roundabout, Shoreditch and in some of the housing estates along Old Street. However, at present there is virtually no violent or sexual crime reported within a hundred metres in either direction of the site of Tayér / Elementary / Outhink at 152 Old Street.

42. We also observed no incidents of violent or sexual *crime and disorder* during our two nights of fieldwork. Nor did we observe any aggression towards users of the area's night-time economy from any of the venues, such as The Masque Haunt or William Blake (just some low-level noise nuisance).
43. Our view is that the opening of Tayér / Elementary / Outhink at 152 Old Street, with its upmarket customer base of aspirational locals and professionals will *not* add to the otherwise relatively low crime and disorder in this immediate area.
44. But what about the additional hour over and above framework hours that the applicant is requesting? There is also no evidence that Tayér / Elementary / Outhink at 152 Old Street would generate any crime and disorder at all and therefore this extends to this additional hour. Again, this is both because of the type of clientele the venue *is* targeted at, but crucially who it is **not** targeted at. The customer base for this venue is not what industry experts CGA call the "lower-end mainstream" demographic, nor is it primarily for the 18-30-year-old, alcohol-led party crowd, some of whom become increasingly less capable and more prone to aggression or vulnerability as they drink more as their night continues.
45. It is also worth noting that whilst Bunhill Cumulative Impact Area is supported at a general level by a crime and disorder analysis conducted by the London School of Hygiene and Tropical Medicine, this analysis does not drill down to street level. Nor does it feature the kind of observational evidence we have used in our study. Our view is that there in fact no discernible cumulative impact in this part of Old Street from a cumulative presence of licensed premises here. This is because, as noted above, there is no agglomeration of alcohol-led licensed premises here in the first place and any problems, which thankfully remain low in this location, are almost certainly, based on our analysis, the result of individuals walking through the area on their way to and from other locations, primarily Shoreditch.
46. Our view is that from a *crime and disorder* perspective, Tayér / Elementary / Outhink will not add to crime and disorder in this area either before or after framework hours and *does* provided the kind of genuine policy exception that fits with Islington's own ambitions for this part of Old Street.

5.4. Prevention of public nuisance

47. If *public nuisance* statistics are examined (we use reported ASB statistics as a 'proxy' for this – see *Appendices*), the same areas as noted above for *crime and disorder* emerge as hotspots. We also see the area around Galway Street (north of Old Street) appear as a significant ASB hotspot, suggesting much of this ASB is *not* related to the licensed economy / night-time economy but to other types of individuals and to other times of day.
48. We observed eight public nuisance incidents in this area over our two observation nights. For such a busy area this is relatively low, although any ASB remains unacceptable. This included two incidents of customers outside The Masque Haunt and two outside the William Blake pubs shouting (at a level that would be loud enough to disturb residents living nearby above street level with their windows open). This cannot be considered cumulative impact but is rather a premises management issue for

these two pubs who did not have staff managing their smoking areas on the nights in question when these incidents took place.

49. The remaining four incidents included three separate groups of individuals walking westwards from the Old Street roundabout shouting and a single example of a vomiting, again from an individual walking from Old Street roundabout west along Old Street.
50. We were surprised by how low the level of *public nuisance* was in this location, given the overall intensity of nearby Shoreditch. However, it is possible to see how even this small number of incidents could, cumulatively, impact on residents' quality of life and the 'street scene' over time. (NB It must also be noted that any problems with the clientele of individual venues should be dealt with by the council under the Licensing Act 2003 on a venue-by-venue basis).
51. The only area we envisage requiring careful management will be the outside of Tayér / Elementary / Outhink in summer (or warmer nights) when customers temporarily exit to smoke. It will be imperative that this is monitored as the night progresses. The following condition, as proposed by the applicant to the council, is, in our view, relevant and proportionate, but must be properly managed and enforced in order to be effective "*Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.*"
52. Having visited the site until 01:00hrs, we found no evidence that the venue opening until 23:00hrs or 00:00hrs will cause any additional cumulative *public nuisance* pressures in the area, to residents, other businesses or to the street scene, simply because of the type of operational style that is being proposed and the resulting clientele that Tayér / Elementary / Outhink will attract.

5.5. Public safety

53. Public safety is often an under-considered licensing objective and at MAKE (particularly through our work with the Home Office's Local Alcohol Action Areas programme) we are encouraging councils, police forces, BIDs and venue operators to think more about improving feelings of public safety in the night-time economy. This includes creating 'safe spaces' (like SOS buses), schemes tackling harassment in venues, the design of civic spaces, public lighting, safeguarding and joining up services to protect vulnerable individuals from sexual predation in the night-time economy.
54. Because this venue will add interest, natural surveillance (it will have a minimum of one SIA door supervisor from 19:00hrs) and 'eyes on the street' at ground floor level, there may be a modest *public safety* benefit of having Tayér / Elementary / Outhink as an addition to this part of Old Street, as currently it can feel quite 'windswept' and intimidating later at night, because it is only sporadically populated by people passing through.

6. Conclusions

55. **Our principal conclusion is that there are no obvious reasons - from the evidence we have viewed - why the proposed hours of operation, sale of alcohol, entertainment etc. requested by Tayér / Elementary / Outhink will compromise any of the licensing objectives.**
56. We base this conclusion on our observations of the area and the type of venue Tayér / Elementary / Outhink will be (and crucially its customer type), the available crime and ASB statistics, a review of Islington's own publicly available evidence and, critically, our experience of over visiting over 100 of the 274 cumulative impact areas currently in operation around England and Wales.
57. This part of Old Street is at present a near crime-free and low-level ASB location, situated amongst much more intense night-time economy uses. Introducing a "lower-end mainstream" type venue could certainly replicate the kind problems we see to the east of Old Street roundabout. However, more food-led or high-end food/drink establishments - such as Tayér / Elementary / Outhink - do not in our view pose any risk to the current situation or to local residents' amenity. Nor is it likely to increase ambulance call outs or police time spent here.
58. The venue has proposed a raft of conditions. Of these we see the SIA door staff as important to give confidence to residents and neighbouring businesses that external areas will be appropriately managed and to ensure that, later at night, the 'wrong' type of customer is not permitted entry to the venue.
59. Regarding the application, our view is that whilst it will not have a negative impact on the licensing objectives of *crime and disorder* and *public nuisance*, it may have a small positive effect on *public safety* because of the presence of SIA staff in what is an otherwise relatively deserted street.
60. More broadly, from a placemaking and urbanism perspective, the development of further *appropriate* leisure-based uses on the 'opportunity sites' that remain undeveloped in this part of Old Street would help improve the cohesion of the road, feelings of public safety and public perceptions of the area more generally.

7. Appendices

Appendix 1. About MAKE

61. MAKE are leaders in night-time economy strategy development and licensing research. We provide insight and planning on the management of towns and cities 'after dark' to clients including national governments and councils (e.g. Hammersmith & Fulham, Westminster, Richmond-upon-Thames, Kingston, Ealing, Hounslow, Lambeth, Newham, Southwark, Merton), mayors and city centre partnerships. We also work for reputable private companies such as Living Ventures, Deltic, Grosvenor Estates, Soho Estates, Shaftesbury plc, British Land and Ministry of Sound.

Appendix 2. About the researcher

62. MAKE Principal Alistair Turnham undertook this study.
63. Alistair's specialist subject is the evening and night-time economy, a phrase he created in 1994 when he undertook the first of three degrees in the subject. In 2007, he was appointed as a (non-political) **Special Adviser on the Night-time Economy to Department of Communities & Local Government (CLG)**. Until 2010, he worked across government, including with the Home Office and the Department of Culture, Media & Sport, raising the profile of, and policy responses to, the night-time economy post-Licensing Act 2003 reform. He has since completed a futurecasting study for the Department of Communities & Local Government (CLG) on how the UK's night-time economy would change by 2020 and helped develop CLG's *How To... Manage City Centres* programme. His thinking on this informed the **Purple Flag scheme that he co-developed**.
64. Alistair has been involved with over **100 night-time economy projects** for city centres across the UK from Liverpool to Preston, Oldham to London's West End. He also pioneered the concept of the '**night-time economy cost-benefit analysis**' which he first trialed in Sydney's for the city's mayor Clover Moore. This intellectual property forms the basis of the 'NightMix' Cost Benefit Analysis study commissioned by Westminster City Council from our former partners TBR Economics and which is drawn upon as evidence in WCC's current statement of licensing policy.
65. In 2005 Alistair devised the **first night-time observational study methodology** for councils requiring more evidence on whether to introduce cumulative impact policies (special or stress area policies). Since then his studies and policy advice have been used by the London boroughs of Richmond upon Thames & Merton, Hammersmith & Fulham, Kingston, Ealing, Hounslow, as well as Liverpool and Bedford.
66. Recently, Alistair was asked to provide independent research, alongside a similar study by Dr Philip Hadfield, assessing the likely impact of an upmarket Alchemist restaurant-bar inside Newcastle's CIP. Whilst MAKE do not act for or against either party involved in a licensing appeal, the work was called upon by the company's licensing barrister, Philip Kolvin QC, in court. The result was the unusual granting of a 2am licence within Newcastle's cumulative impact area where residents had objected.

Appendix 3: Crime and disorder/ public nuisance (ASB) analysis

69. The source of the data used below is the police.uk database. Retrieved in February 2018.

Violent Crime and Sexual Offences – January 2017 to December 2017

Figure 1. Violent Crime and Sexual Offences JANUARY 2017

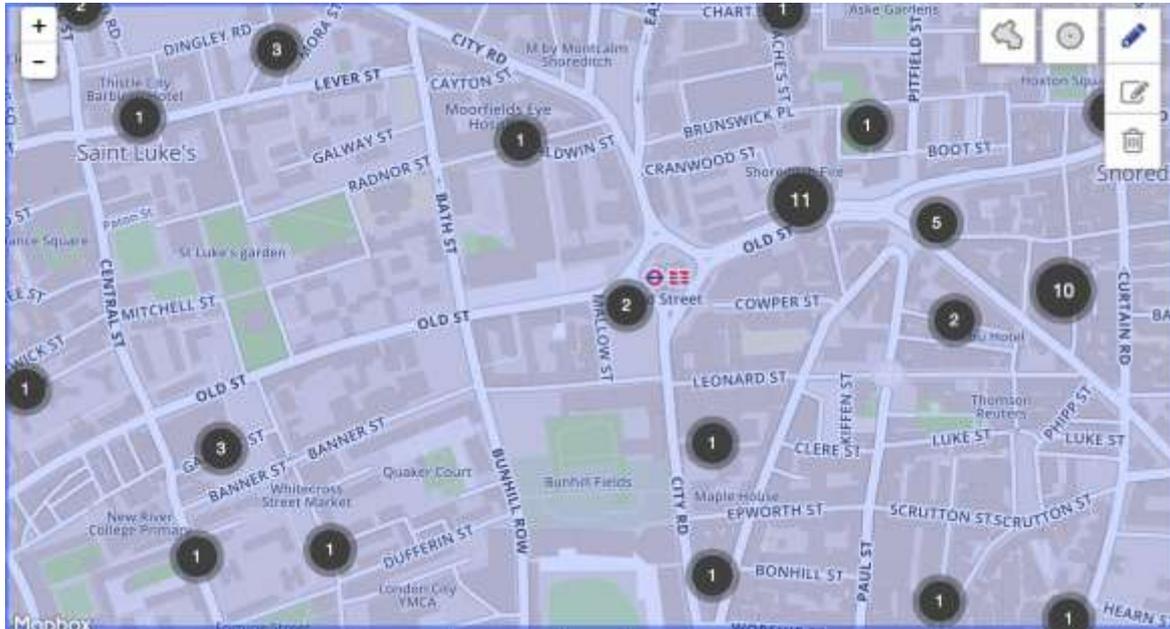


Figure 2. Violent Crime and Sexual Offences FEBRUARY 2017

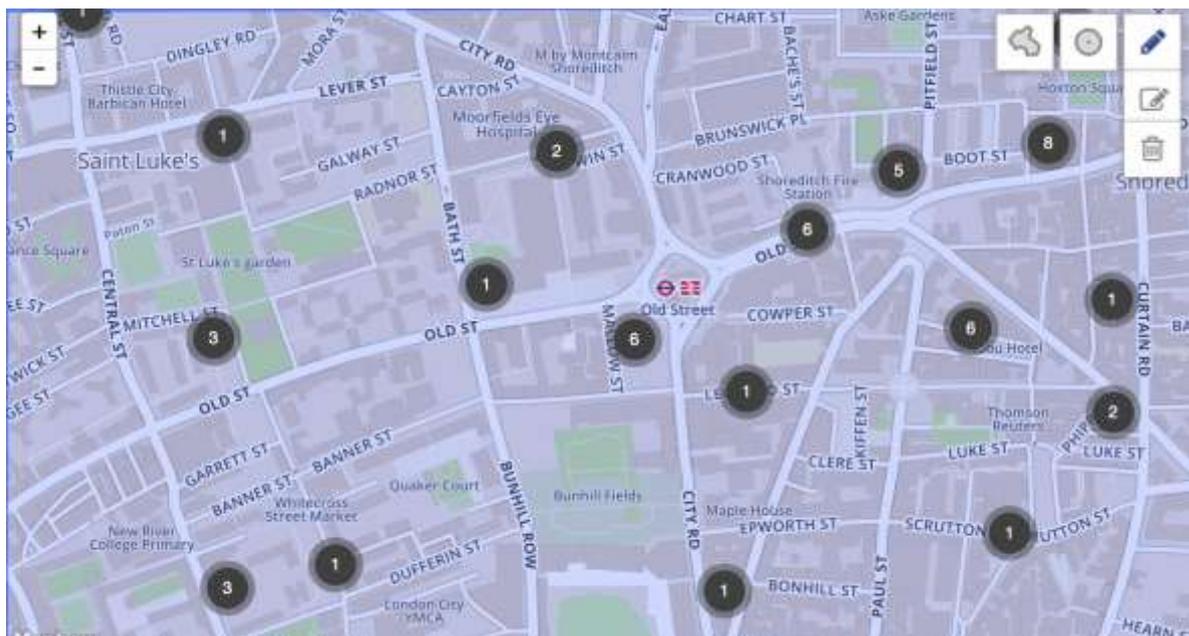


Figure 3. Violent Crime and Sexual Offences MARCH 2017

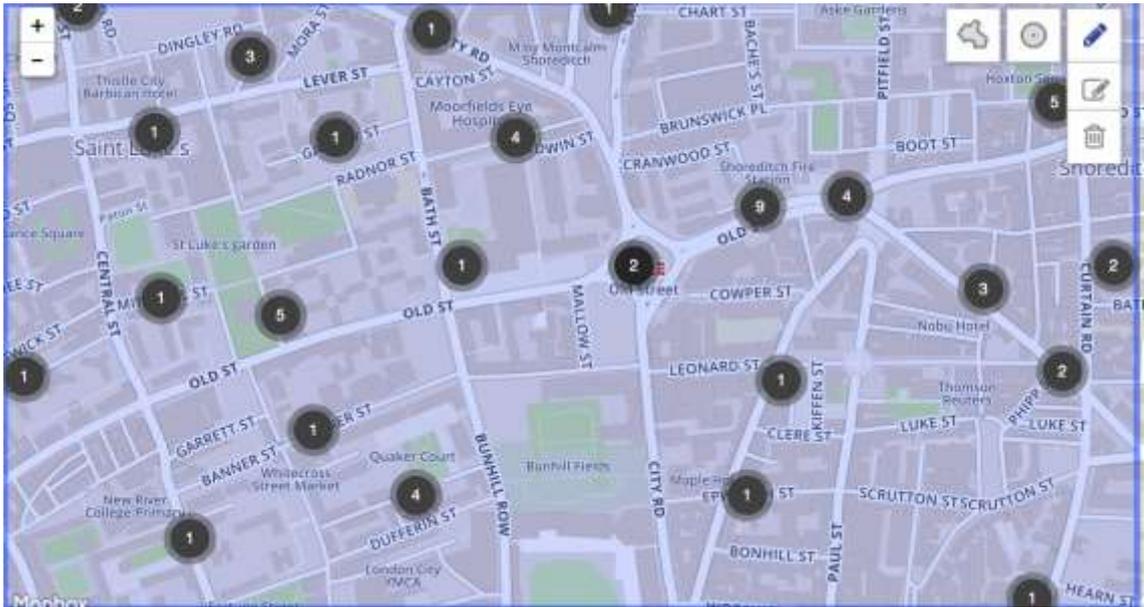


Figure 4. Violent Crime and Sexual Offences APRIL 2017

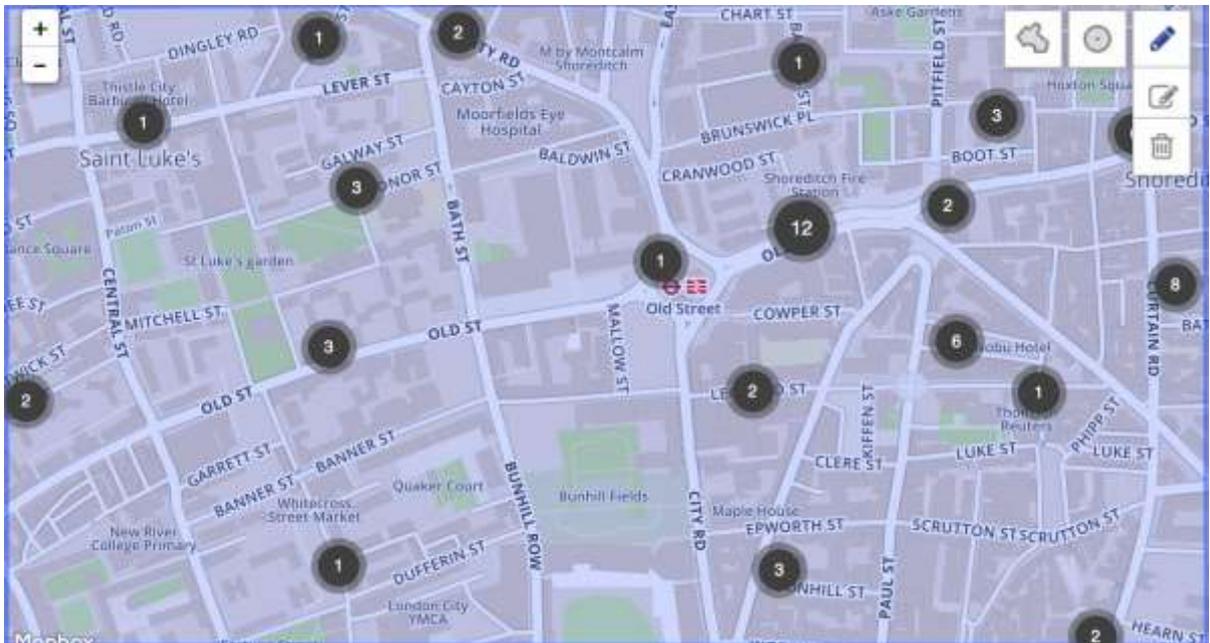


Figure 5. Violent Crime and Sexual Offences MAY 2017

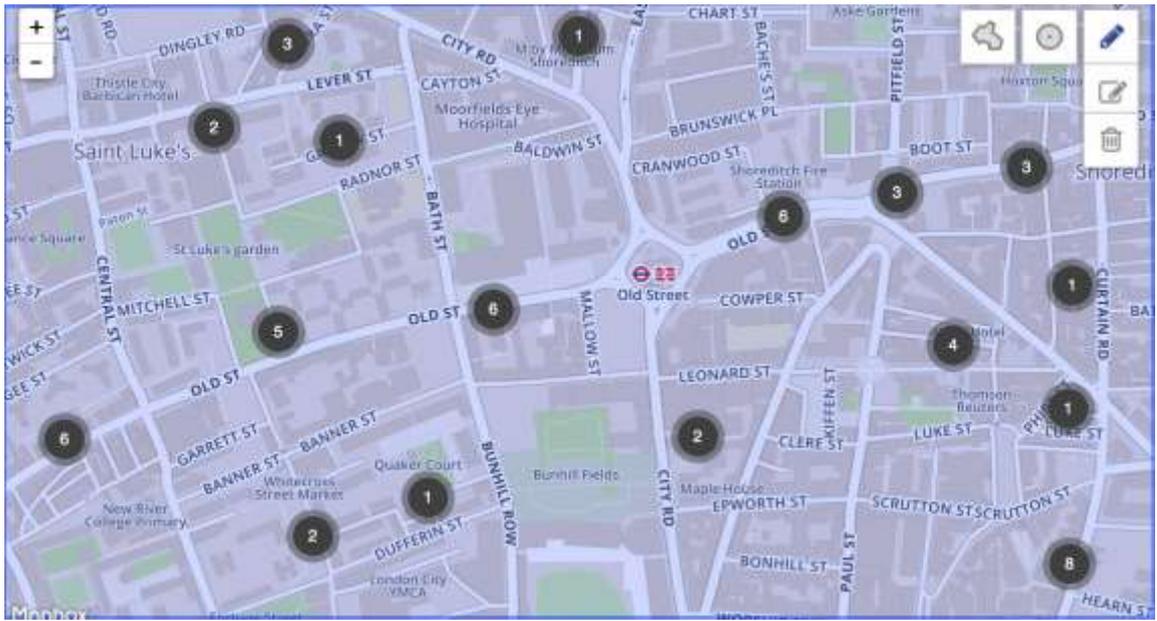


Figure 6. Violent Crime and Sexual Offences JUNE 2017

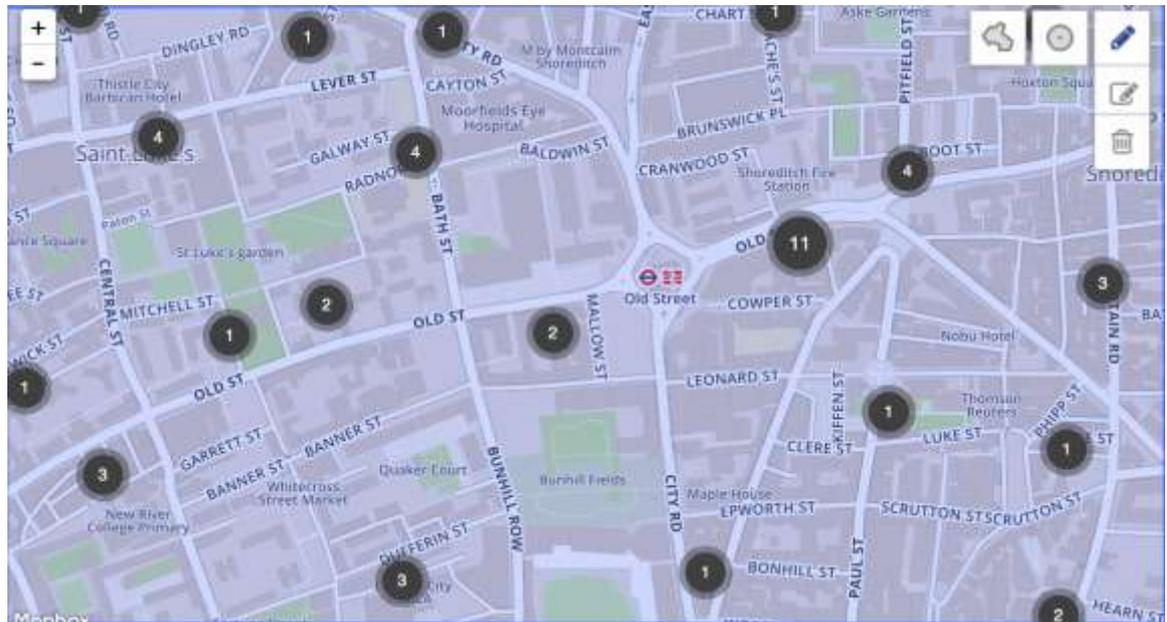


Figure 7. Violent Crime and Sexual Offences JULY 2017

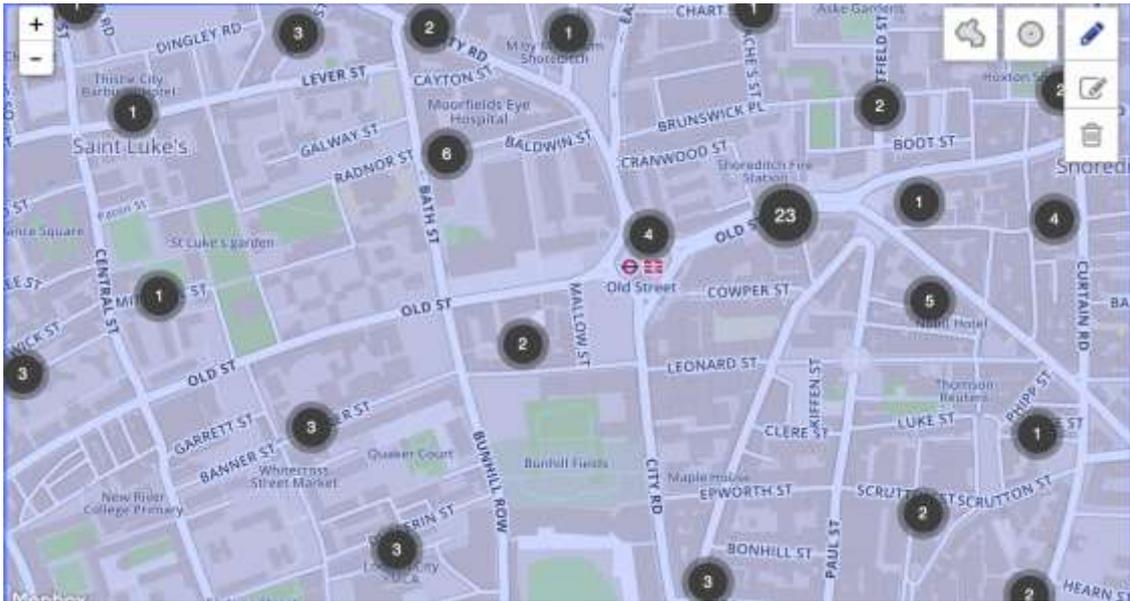


Figure 8. Violent Crime and Sexual Offences AUGUST 2017

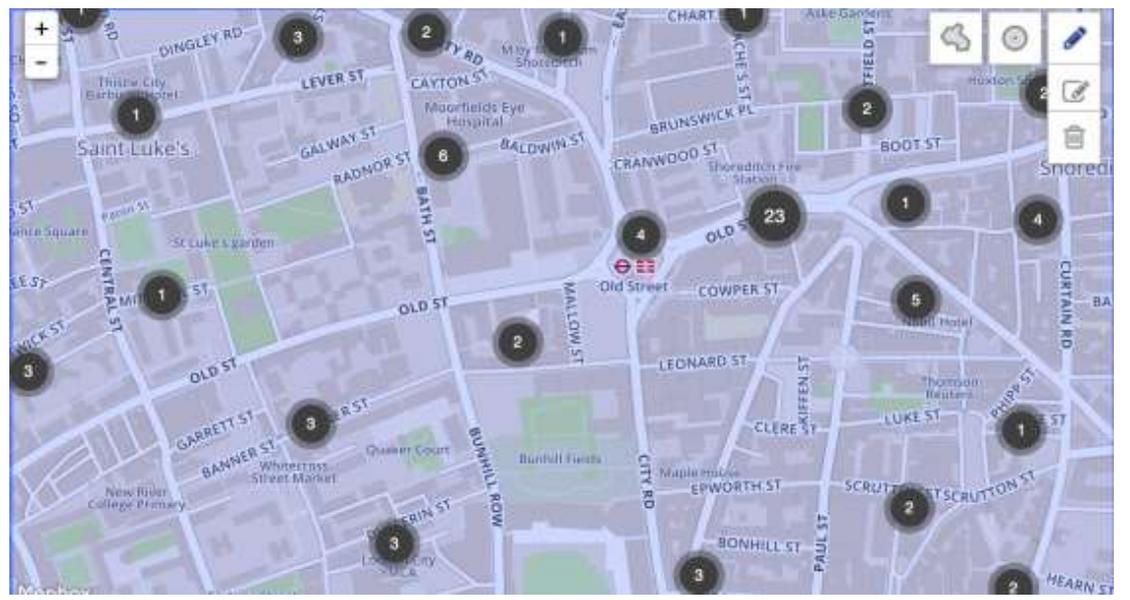


Figure 9. Violent Crime and Sexual Offences SEPTEMBER 2017

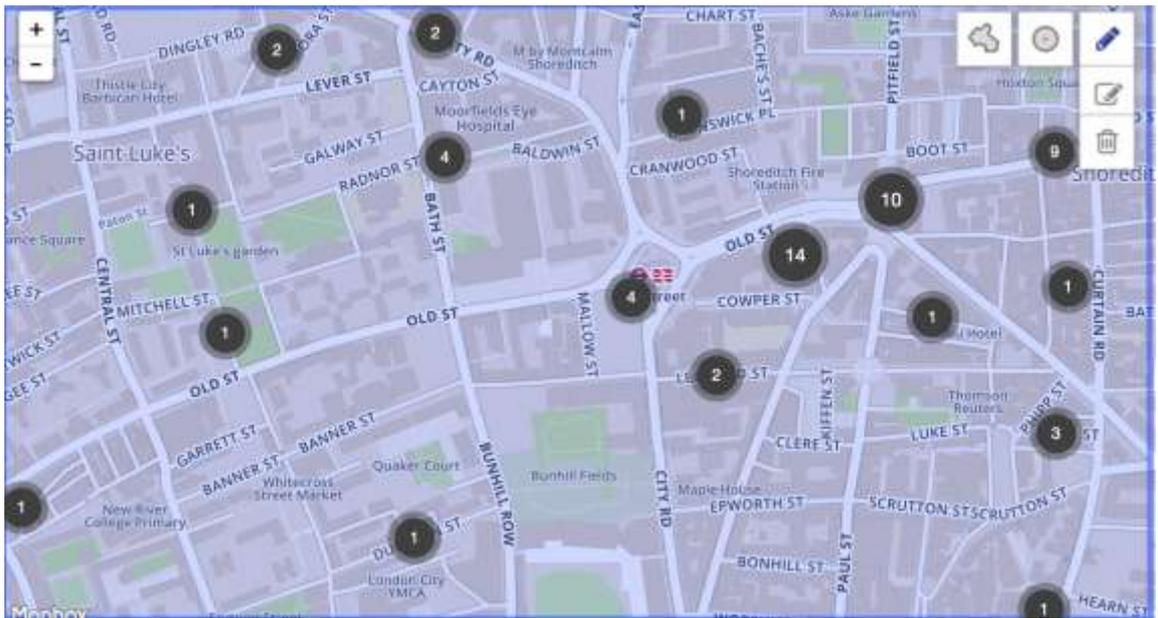


Figure 10. Violent Crime and Sexual Offences OCTOBER 2017

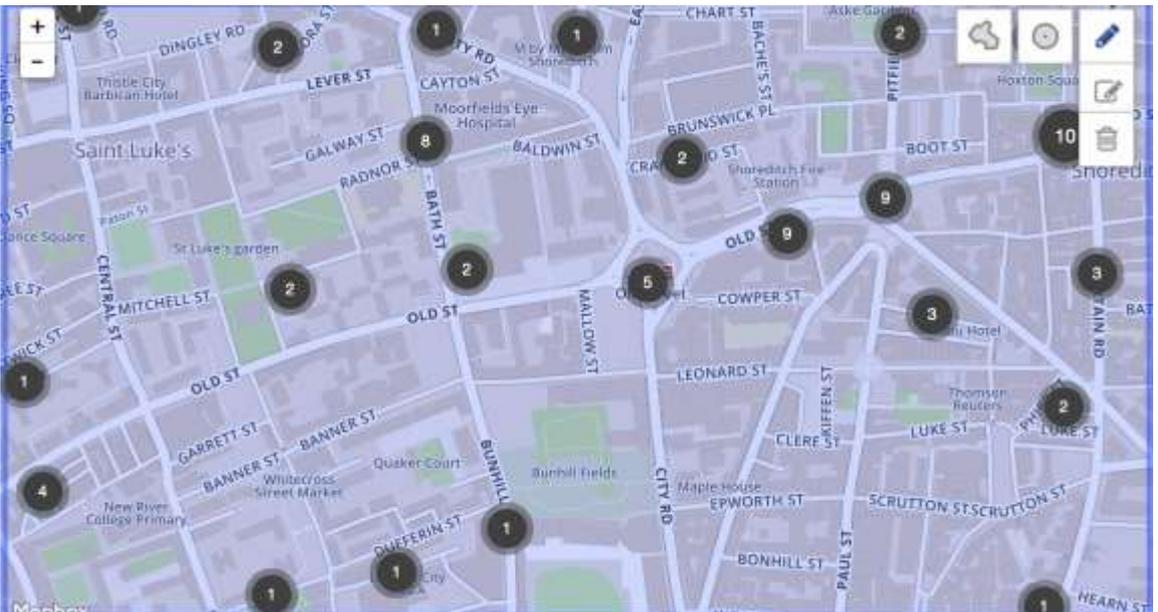


Figure 11. Violent Crime and Sexual Offences NOVEMBER 2017

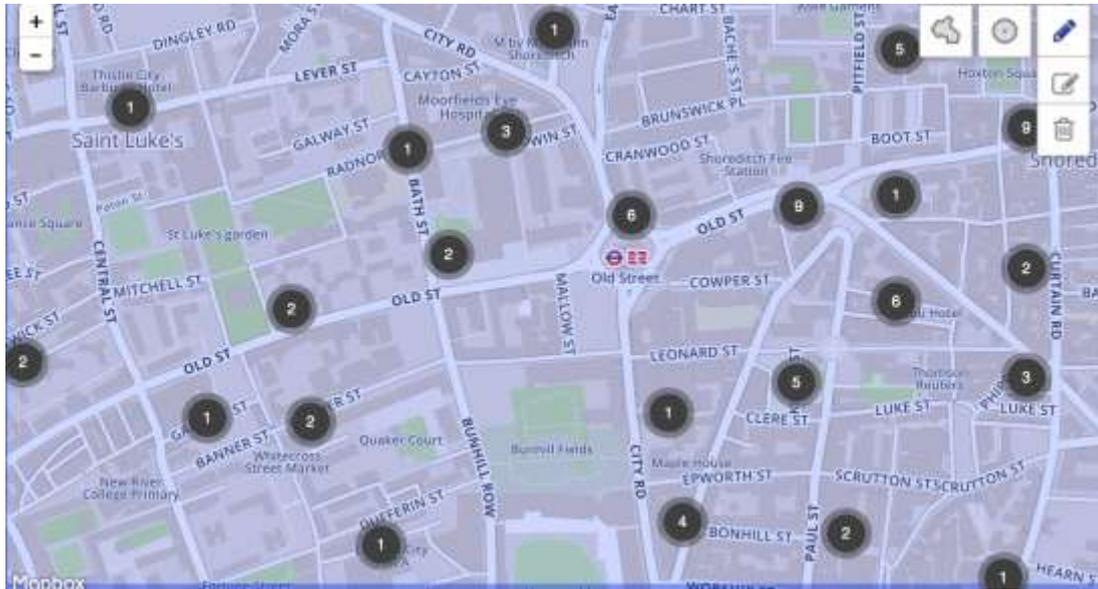
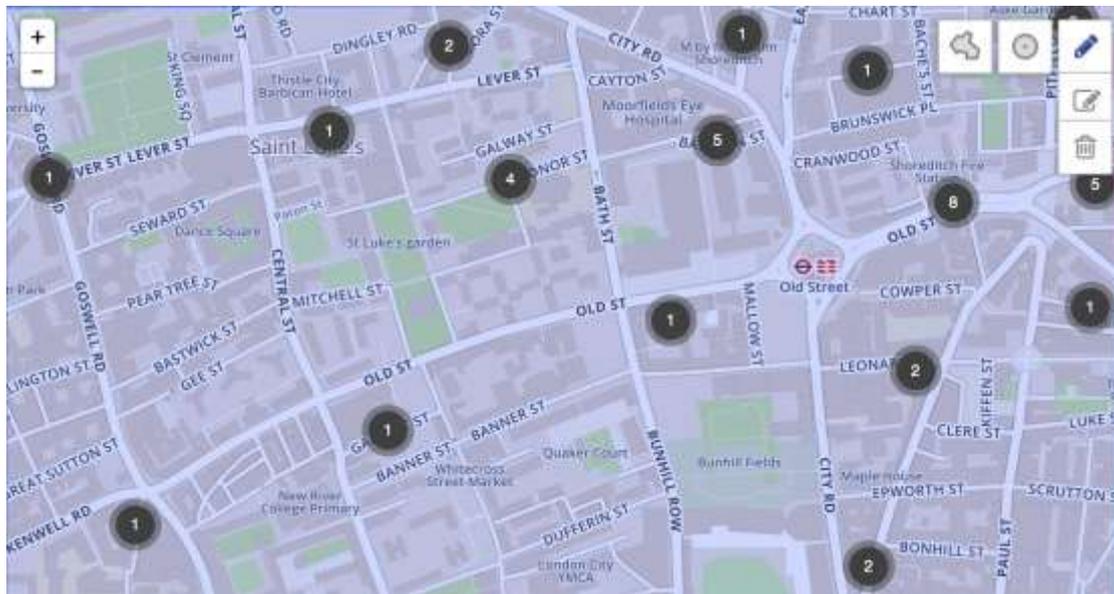


Figure 12. Violent Crime and Sexual Offences DECEMBER 2017



70. Our experience of crime and sexual offence figures in other night-time locations - where we have had access to more detailed police data through the police's own iQanta system - suggests between 20% and 50% of violent crime and sexual offences are linked to users of the night-time economy. This

figure depends on the concentrations of night-time venues and, most importantly, the type of individuals they attract.

71. For example, in Liverpool certain streets with very late-night venues that attract an alcohol-led young 18-25 crowd (and where there is very little residential community) tended to have the highest level of NTE-related serious violent crime. Whereas in streets with a larger proportion of residential, we have found that even with a late-night economy also co-located there, that a considerable amount of any reported violence is in fact domestic violence. This is sometimes masked by an assumption that it is all linked to the night-time economy.
72. As the above charts show, levels of violent or sexual offences in Old Street near the site of No 152 were low between January 2017 and December 2017. May, where there were six reported incidents appears to be an anomaly.

ASB – December 2016 to November 2017

74. Before proceeding to the ASB mapping, it is important to note that not all (or even a majority) of recorded ASB is linked to users of the night-time economy. Our experience of ASB in other locations - where we have had access to more detailed police data (through the police's own iQanta system noted above) - suggests only between **10% and 30%** of ASB is linked to users of the night-time economy, even in areas with high concentrations of night-time venues.
75. The maps below only show the total number of incidents each month and not incidents by time of day. Most ASB will *not* be linked to the NTE but to other issues such as young people out of school hours, street drinking and aggressive begging as well as issues such as fly tipping. However, if we assume that a minority of these reported ASB incidents *are* linked to users of the borough's night-time economy, then for the purposes of our analysis, these maps give a useful geographical indicator of where they may be most likely to take place.

Figure 13. Anti-social behaviour JANUARY 2017

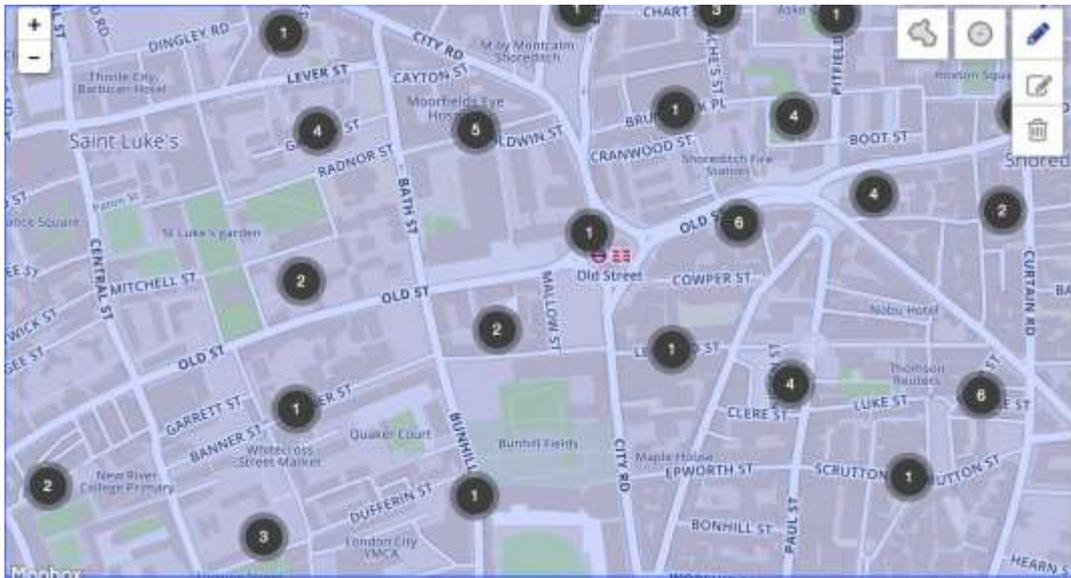


Figure 14. Anti-social behaviour FEBRUARY 2017

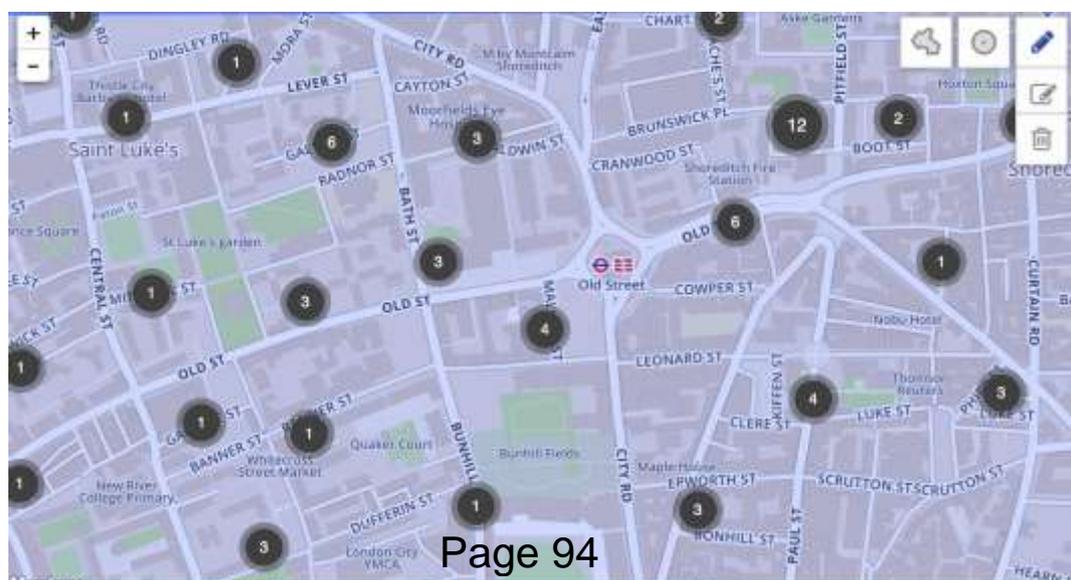


Figure 17. Anti-social behaviour MAY 2017

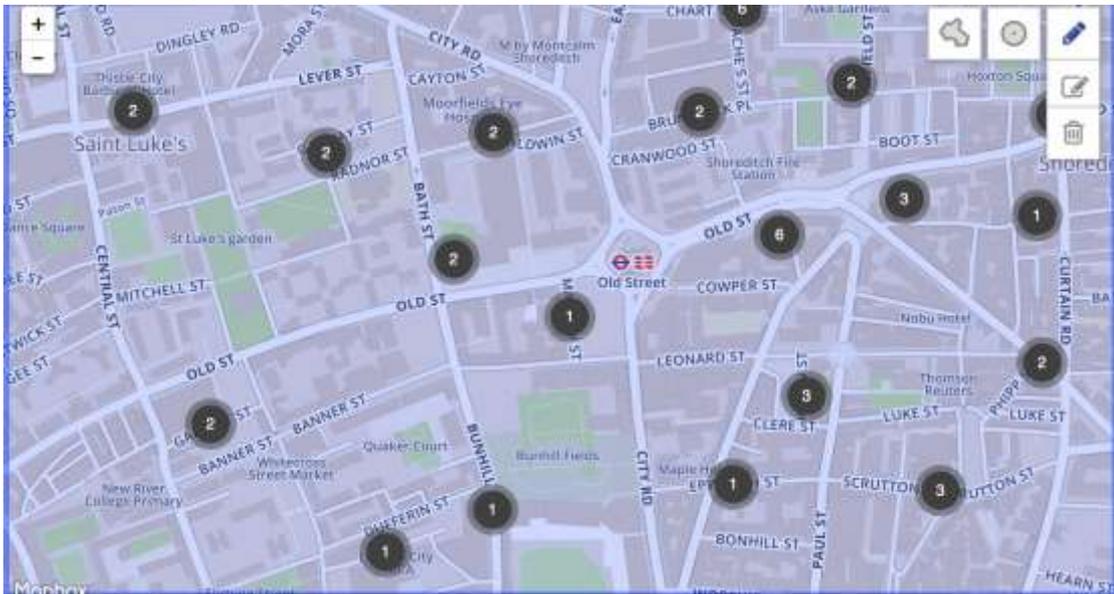


Figure 18. Anti-social behaviour JUNE 2017

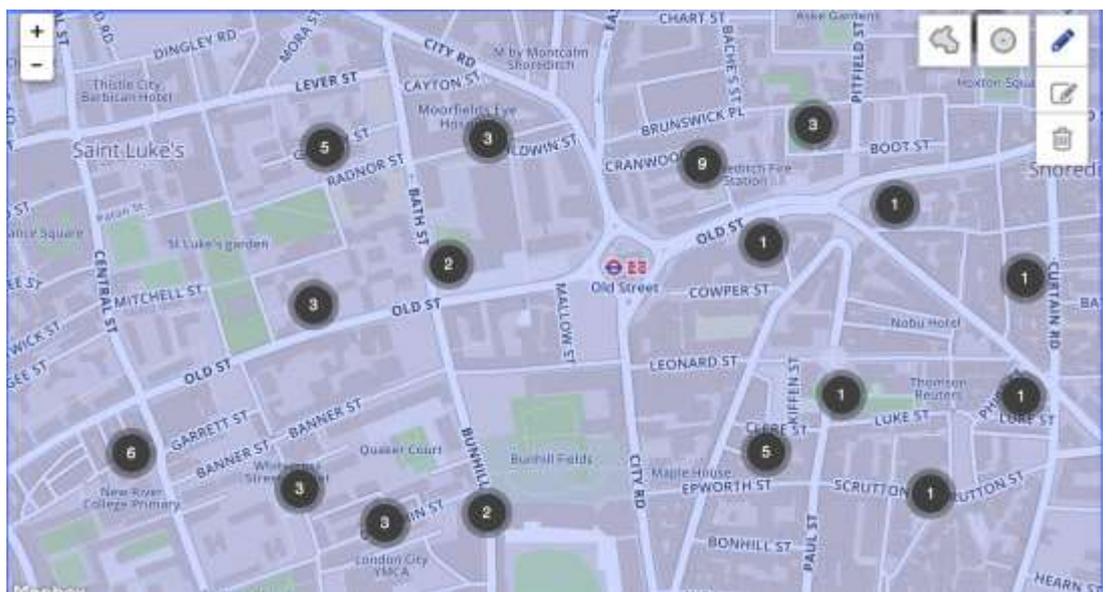


Figure 19. Anti-social behaviour JULY 2017

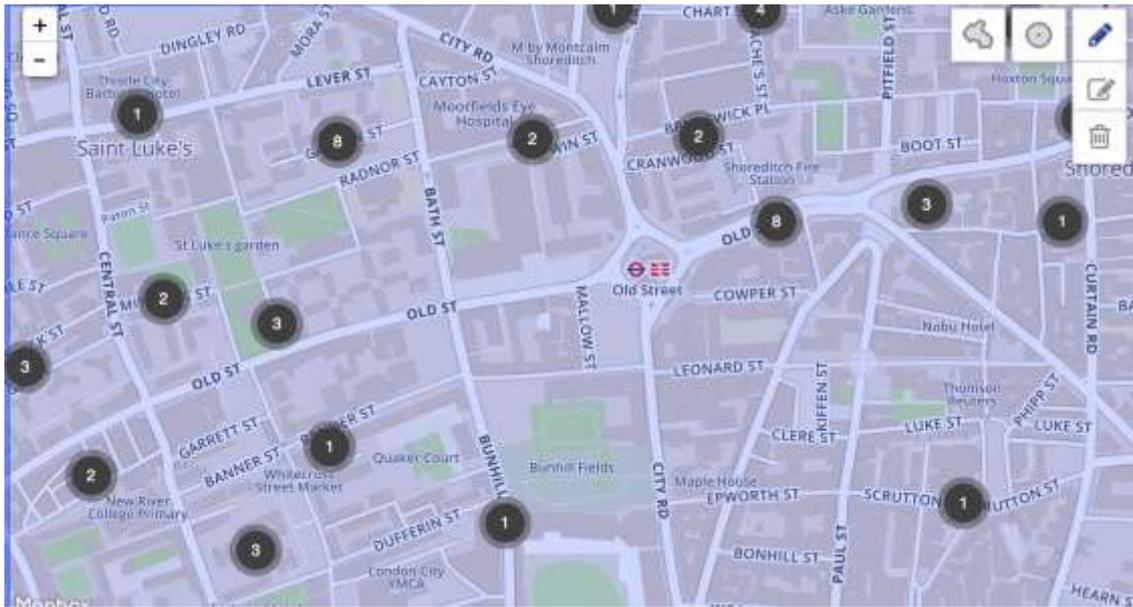
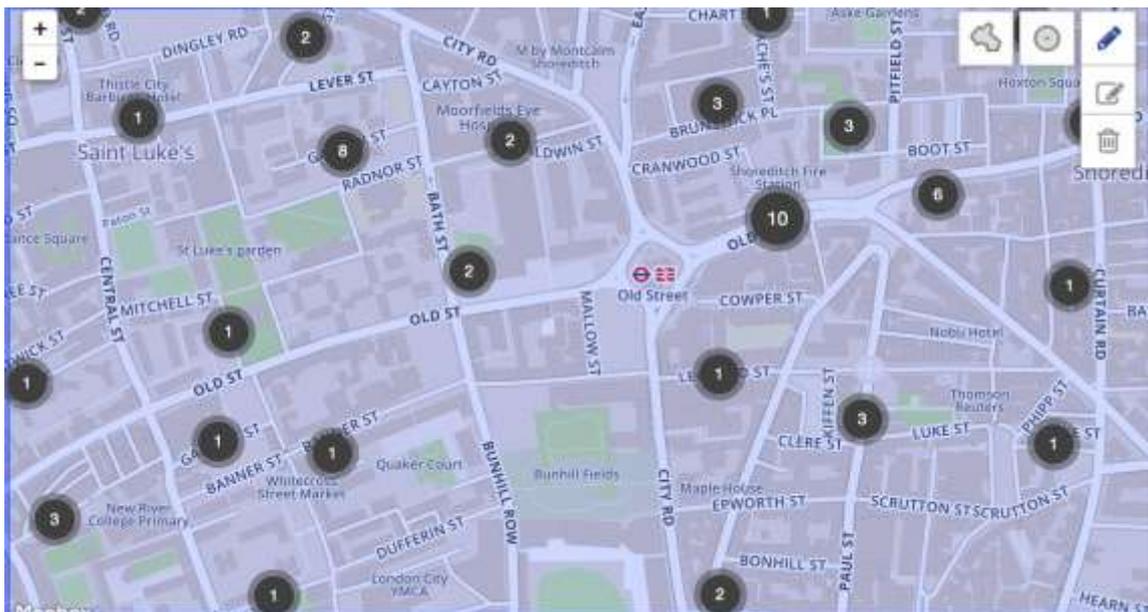


Figure 20. Anti-social behaviour AUGUST 2017



76. Over 2017 there were 13 reported incidents of ASB on the stretch of Old Street that No. 152 is situated in (though considerably more in the housing estates, such as Redbrick, that are located just off Old Street). This is surprisingly low for this vicinity. As with crime previously, this does not mean that further incidents did not take place, just that these were the ones reported to the police (by members of the public or the police themselves).
77. Based on our crime analysis experience in other London boroughs (Westminster, Hackney, Ealing, Hammersmith, Richmond, Kingston, Newham, Southwark, Lambeth and Camden) and in observing the area, it is highly probable that only a relatively small proportion of these 13 ASB incidents are linked to the night-time economy.

Appendix 4. Image Gallery

09/10.12.17 – Old Street observation 21:00hrs to 01:00hrs

Figure 25. 152 Old Street nears completion. The ground floor leisure units will service the local area and the large number of employees in the 10-storey tower that it is part of.



Figure 26. Two large pubs, the Masque Haunt and William Blake are the only pub/bar type offer in the area at present

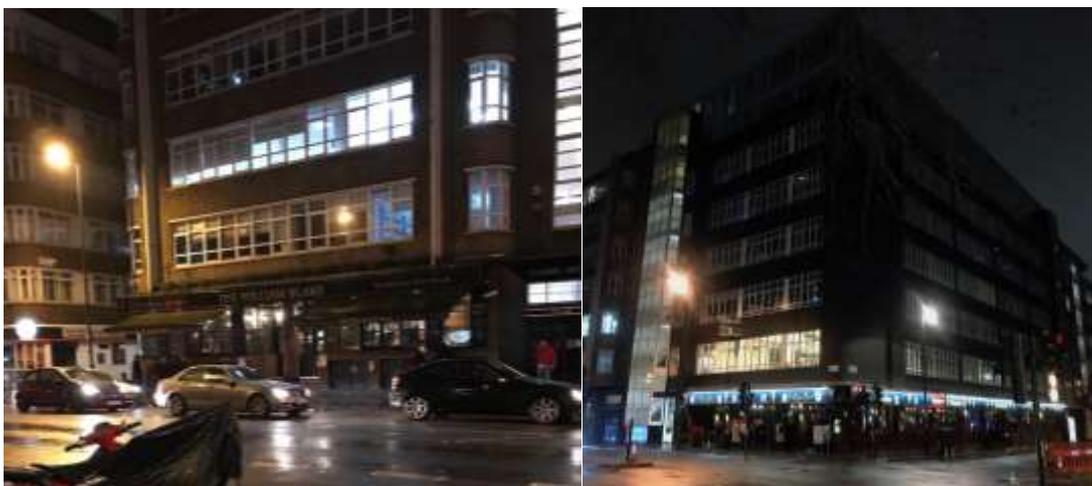


Figure 27. There is residential accommodation nearby, including upper floors above existing licensed operations. 152 Old Street will need to recognise this and manage patron dispersal effectively

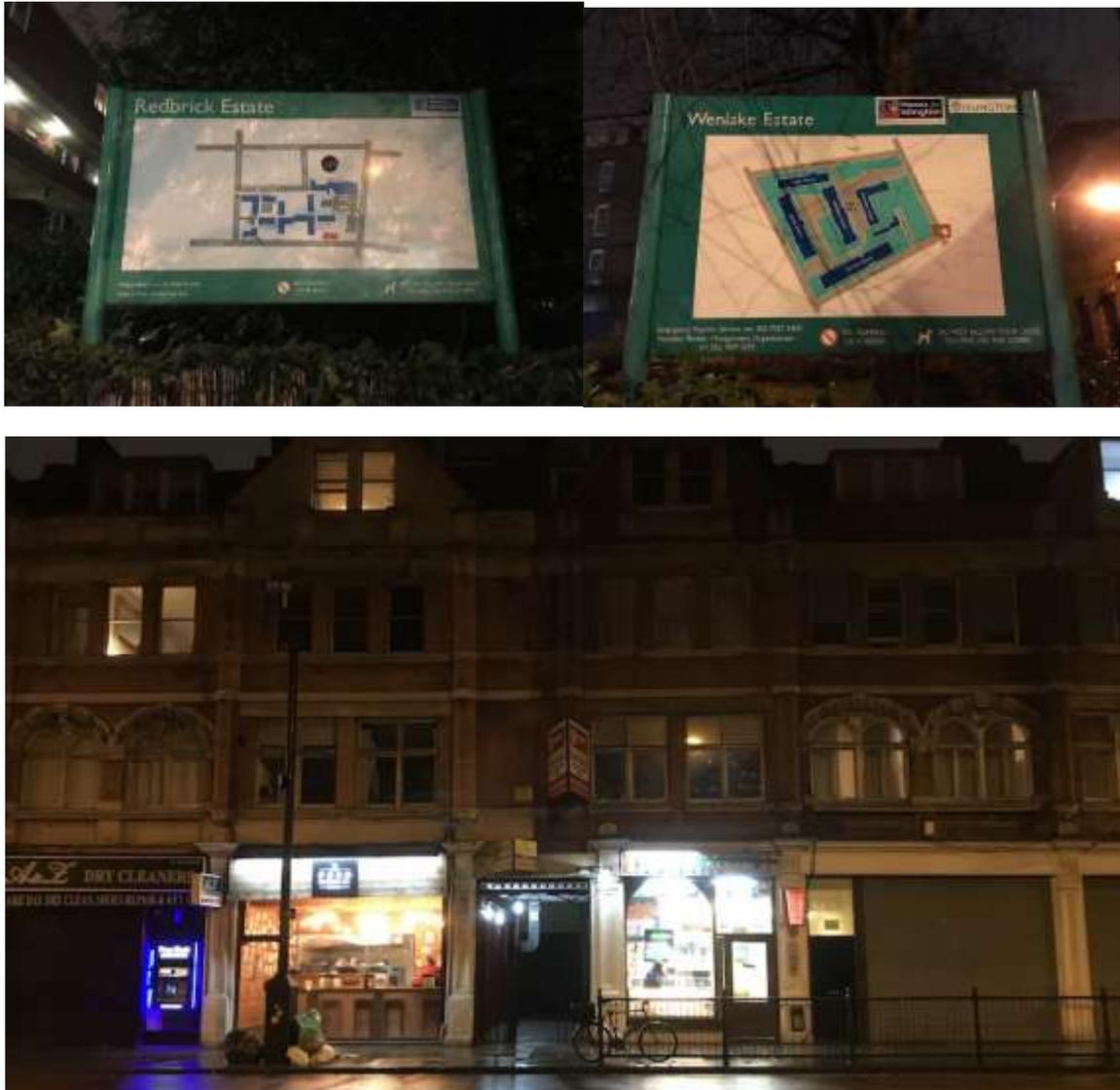
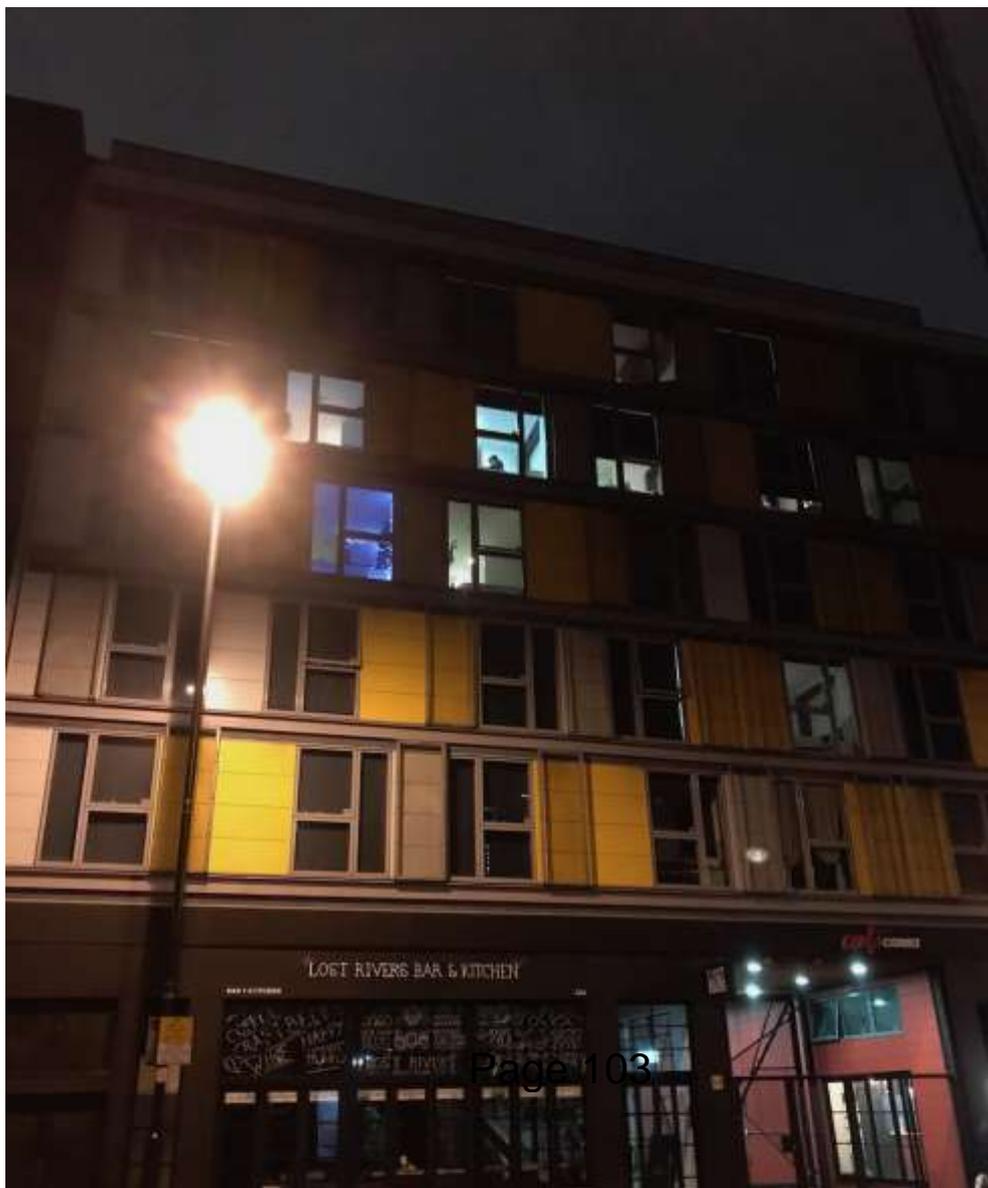




Figure 28. Lost Rivers Bar & Kitchen demonstrates a change on the street to a more upmarket food-led offer. 152 Old Street will compliment this



[REDACTED]
Whitecross Street
[REDACTED]
[REDACTED]

Licensing Support Team
222 Upper Street
London N1 1XR

By email

4th August 2018

Dear Sirs

Application for New Premises Licence – ‘Tayer and Elementary’ 152 Old Street

I object to the above application for an unrestricted full on-licence for the sale of alcohol and the playing of recorded music over extensive hours (to midnight Monday to Friday) and opening on Sunday, in an area of significant residential property which already has a large number of licensed premises and significant drink related crime and noise disturbance issues. I have lived in nearby Whitecross Street since 1993.

The area these premises are in is, perhaps surprisingly, extensively residential, both on Old Street and streets off and behind it like Whitecross St.

For years the area has been blighted by far too many licensed premises and the antisocial behaviour, public order and crime (both drink and drug related) and noise disturbance that goes with it, particularly late at night and in the early hours of the morning. The area was described to me by the police during the application five years ago at 90 Old Street as “saturated” with licensed premises and having the second highest level of drink related crime in London. This is, I expect, one reason why in January 2013, Islington Council instituted a Cumulative Impact Area, that is, an area which already has a high number of licensed premises which collectively lead to problems related to the licensing objectives. Nothing has changed since 2013, in fact it has got steadily worse especially late at night and the early hours of the morning.

In terms of antisocial behavior, particularly late at night and early morning, we have a constant procession in our street and Old Street, of people leaving local licensed premises causing significant noise disturbance, leaving litter and in

some cases behaving in a very aggressive manner so that I myself tend to avoid being out of the house beyond 11 pm if possible.

I am told that this Cumulative Impact policy means that Islington will generally not allow any new licences in these areas unless the applicant can demonstrate that they will not contribute to the problems. This surely must mean MORE than that the applicant will offer all the usual promises about control of the premises that all licensees are expected to offer and I don't see how this large extra licensed premises with extensive hours for sale of alcohol could not add to the problem. There is simply no need for a further full on-licence given the problems we already have. The committee granted one at 122 Old Street some months ago despite the policy and the granting of this further licence would simply add to the problems and should be rejected under the Cumulative Impact Area policy. It is also disturbing that this is a case of offices for workers being replaced by licensed premises.

When the policy was introduced, I and many locals thought we would at last have some protection from the gradual turning of this area into one big licensed premises. As far as I can see the policy has so far been a dead letter. I stand to be corrected, but as far as I know, since its introduction in 2013 no local licence application has been turned down. It seems that every applicant is able to demonstrate that they will not add cumulatively to the problems! This just can't be right. It defies common sense.

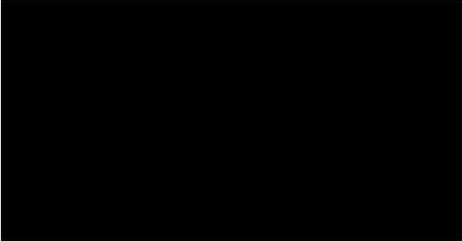
The hours requested are also excessive. They will only increase to a large extent the number of people coming onto the streets around us in Old Street and streets off it, after midnight Monday to Saturday and early Sunday morning. The clientele intended here are clearly not going to be coming to the premises to have a quiet meal and go home. The premises are intended for loud music and entertainment etc.

I am also very concerned that these premises are to be open for drinking on Sundays. Sunday is one of the few times when there is some semblance of peace in our area. Most pubs are closed and we have some respite from the busy nature of the area during the week and on Saturday. The hours proposed mean that there will again be an inevitable increase in the numbers of intoxicated people coming onto our streets all Sunday and particularly around 11pm and after.

While I accept the need for commercial premises for social purposes in an urban area, it is significant that by introducing the cumulative impact policy the Council have already recognized the particular problems caused by an over-supply of licensed premises in the policy area.

Please give me notice of the licensing meeting at which this application is to be finally decided, and any other communication on the above email address.

Yours faithfully



[REDACTED]
St Luke's Estate

Bath Street
[REDACTED]

Licensing Service
Islington Council
222 Upper Street
London N1 1XR

August 28, 2018

Dear Licensing Service,

Tayer and Elementary, 152 Old Street

I strongly object to the licensing application from the above organisation.

My reason is that the venue is opposite two densely populated residential areas;

The Redbrick Estate and St Luke's Estate. Obviously people who are the worse from wear due to alcohol consumption from an establishment that is open to midnight can be very disturbing to people trying to sleep.

The two existing pubs, The William Blake and the Masque Haunt close at 11pm, so if a license is awarded, it should be no later than 11pm.

In more general terms, I do not support the granting of more licenses in this area of Old Street, as I am wary it could lead to the development of a night-time economy, as in the nearby Shoreditch triangle area. This would not be appropriate for a mainly residential area.

Yours sincerely,

[REDACTED]

LBI Licensing

29 AUG 2018

THE GREAT ROPEMAKER PARTNERSHIP (G.P.) LIMITED

33 CAVENDISH SQUARE, LONDON, W1G 0PW
TELEPHONE 020 7647 3000 FAX 020 7016 5500

Licensing Service
London Borough of Islington
222 Upper Street
London
N1 1XR

16 August 2018

Dear Sir/Madam,

152 Old Street, London, EC1B 9BJ
Application Reference: islington-665100

We are the landlord and developer of the above premises, which is a ground floor retail unit within our 160 Old Street mixed-use development that comprises 153,000 sq. ft. of offices and 6,700 sq. ft. of retail space.

We make this representation in support of the application by Tayer for a premises licence, which follows the recent grant of planning permission.

We carried out extensive marketing and due diligence in respect of this tenant and are completely satisfied that their proposals are consistent with both the local amenity, the licensing objectives and also the council's statement of licensing policy.

We believe the application promotes the licensing objectives, particularly those relating to public nuisance and crime and disorder.

As previously discussed with senior members of the Council and Islington Planning Department, 116,500 sq. ft. of the office space at 160 Old Street has been let to Turner Broadcasting which is a media tenant that includes CNN, HBO and Warner Media. We believe that Tayer will provide much needed amenity, in the immediate vicinity, for Turner and our other office tenants, which include SMEs established in the area and now looking to move to larger space at 160 Old Street.

Yours faithfully



Kat Norton
Development Manager



Commenting on Licence Applications

Making a representation

1. Should you wish to comment on the licence application, either in support or against, you must refer to one or more of the following four licensing objectives:
 - The prevention of crime and disorder
 - The prevention of public nuisance
 - Public safety
 - The protection of children from harm
2. The sorts of issues you may have concerns about could relate to disorder in the street at closing time, outside drinkers blocking the pavement, noise from customers leaving or drinking in outside areas, suitability of the premises or problems with underage drinking.
3. If you would like to make a comment, you may wish to use the attached pro-forma as a guide to assist you. Please note that you must clearly state your **name and address** so we can contact you.
4. Your representation will be forwarded to the applicant and will form part of the report sent to the Licensing Sub Committee who will make the decision whether or not to grant the licence. Representations are not treated as confidential and your name and address will be included in the public report and be given to the applicant, however your personal details will be removed from the on-line version of the report.
5. 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 when making your representation.
6. As an alternative to making a representation yourself, you may wish to consider making a joint representation, for example as a Tenants and Residents Association or Neighbourhood Watch group. You could also consider asking a local Ward Councillor or MP to make a representation on your behalf. If you decide to submit a petition please ensure that each page clearly specifies the purpose of the petition; names and address are clearly written and the person organising the petition is identified so we can write to that person about the progress of the application
7. Applicants are expected to explain what measures they will adopt to promote the licensing objectives on their application form. These measures will become conditions of the licence if the application is granted. Copies of the application form are available for inspection and it is good idea to ask the Licensing Team to see this document as the applicants may have already addressed your concerns. You may also wish to suggest additional measures in your representation that the applicant could undertake to address your concerns.

Licensing Committee Hearings

8. If an application receives representations the decision to grant the application will be made at a public hearing by the Council's Licensing Sub Committee. If you have made a representation you will be invited to attend the hearing and you will have the opportunity to speak and ask questions. We will write to you at least 10 working days before the hearing to let you know where and when it will take place. You do not have to attend the hearing and the Licensing Sub Committee will still consider your written representation before making a decision.
9. Sometimes an applicant may wish to contact you to discuss your representation before the hearing and where possible we encourage this to be done via the Licensing Team.

Licensing Policy

10. The Council has a Licensing Policy which sets Islington's approach to licensing in Islington. Copies of the policy are available via the Council's website

http://www.islington.gov.uk/services/business-licensing/regulations/licences/licensing_act/Pages/Licensing-Policy.aspx

11. If you are unable to access a copy of the policy from our website please contact Licensing Service on 020 7527 3031

Cumulative Impact Policy

12. In January 2013 Islington Council designated areas of Islington as Cumulative Impact Areas. These are areas which already have a high number of licensed premises, which collectively lead to problems related to the licensing objectives. This means Islington will generally not allow any new licences or extension of hours to existing licences in these areas, unless the applicant can demonstrate that they will not further contribute to the problems. It is important to note that the policy will only apply if valid objections are made to the application; if no representations are made then the licence will automatically be granted. More information about cumulative impact can be found in our Licensing Policy.

Music and Dancing

13. Under the licensing laws certain types of entertainment need a licence. Recent changes to these laws have relaxed the need to have licences for entertainment in some cases. For example live music played through an amplifier is no longer needed in alcohol licensed premises such as pubs, and work places between 8am and 11pm (if no more than 200 people present). Live unamplified music, regardless where it takes place between 8am and 11pm, no longer requires a licence. Dance facilities, such as a dance floor in a nightclub, and "facilities for making music", such as a piano for customers to use for in a pub, also no longer need a licence.

Alcohol Sales

14. "On supplies" only allows alcohol sold at the premises to be drunk in those areas shown on the licence plan (all licensed premises have an approved plan). If applicants wish to sell alcohol to be taken away or drunk in areas outside of the approved plan they will need to have permission for "off supplies".

Late Night Refreshment

15. Late night refreshment refers to hot food or drink supplied between 11pm and 5am, which generally must be licensed.

Submitting Representations

16. Representations should be submitted to:

Licensing Team
Islington Council
3rd Floor
222 Upper St
London N1 1XR,

Or by email to licensing@islington.gov.uk,

Or via the Council's web site: <http://www.islington.gov.uk/licensingrepresentations>

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 __Tayer and Elementary, 152 Old St, EC1V 9BJ

Your Name: _____

Interest:___Resident of wider area_____

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

Your Address: ___ Leather Lane, London _____

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

The applicants ran an internationally renowned bar at the Langham, next to Broadcasting House. They are recognized in the UK and beyond as among the best of their profession; not only do they have a reputation to maintain, I have no doubt they will provide an exemplar for the area, using the evidence of their previous work as a guide. They are aware of the steps that must be taken and provisions which must be consistently applied to be a good neighbour.

Crime and Disorder

The bar will clearly have CCTV and the usual relationships will be fostered to ensure any crime or disorder is prevented and dealt with effectively.

Protection of Children from Harm

As mentioned above, they are experienced professionals with excellent reputations to maintain. Their track record in keeping patrons and minors safe from any negative effects of activities within their domain speaks for itself; children will not come to harm as a result of Tayer & Elementary.

Public Safety

To reiterate – these are internationally respected professionals in the industry, with extensive experience in keeping patrons and those around their operations safe. Their record shows that public safety will not be prejudiced by the business. Rather, it will add to the character and quality of the neighbourhood, and contribute positively alongside other inspired improvements to the area,

including the LSO's management of St. Lukes.

I wish my identity to be kept anonymous 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:

[Empty box for explanation of reason for anonymity]

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 25 September 2018 _____

Please ensure name and address details completed above

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

or send by email to: licensing@islington.gov.uk

Suggested conditions of approval consistent with the operating schedule

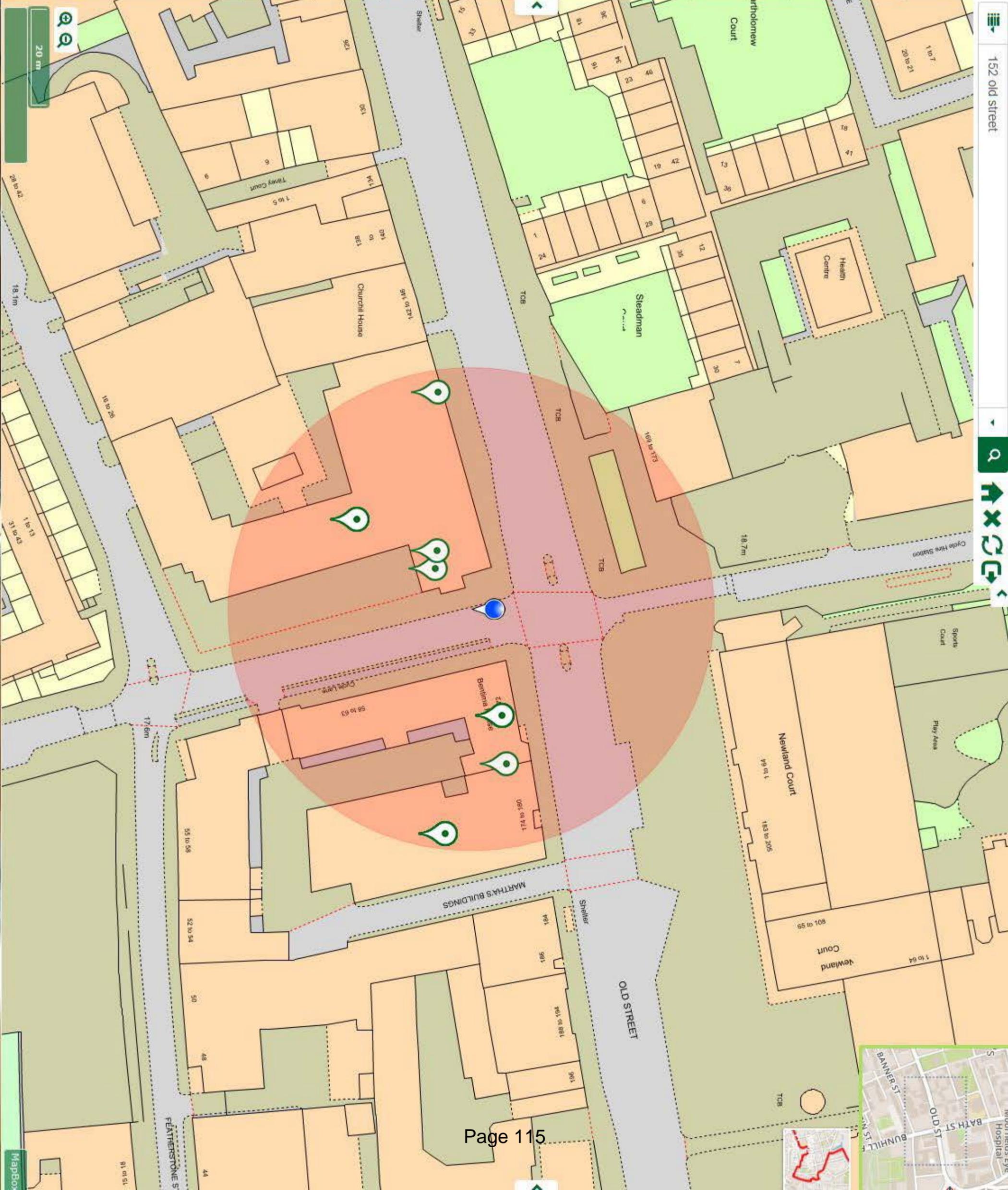
1. In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:
 - (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
 - (b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
 - (c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;
 - (d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours.
2. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record:
 - (a) Any and all allegations of crime or disorder reported at the venue
 - (b) Any and all complaints received by any party
 - (c) Any faults in the CCTV system
 - (d) Any visit by a relevant authority or emergency service
 - (e) Any and all ejections of patrons
 - (f) Any and all seizures of drugs or offensive weapons
 - (g) Any refusal of the sale of alcohol
3. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will 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.
 - (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
 - (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
 - (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
 - (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
 - (f) The system will record in real time and recordings will be date and time stamped;
 - (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
 - (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act 1998) within 24 hours of any request.
4. The premises will operate a proof of age scheme, such as Challenge 25
 - (a) All staff will be fully trained in its operation.
 - (b) Only suitable forms of photographic identification, such as passport or UK driving licence, or a holographically marked PASS scheme cards, will be accepted.
5. Except for any designated external seating areas, alcoholic and other drinks purchased from the premises may not be taken away from the immediate curtilage of the premises in open containers such as glasses or opened bottles.
6. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

7. Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
8. During the hours that regulated entertainment takes place, windows shall be closed and doors closed so far as reasonably practicable.
9. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
10. A dedicated licensed taxi/mini cab service shall be available with the premises for customers.
11. A minimum of 1 SIA licensed door supervisor shall be on duty at the entrance of the premises Monday to Sunday from 19:00.
12. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
13. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
14. Non-intoxicating beverages, including drinking water, shall be available on the premises.
15. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
16. The holder of the premises licence shall subscribe to and participate fully in the local pub/club/shop watch scheme.
17. On Mondays to Saturdays no collections or deliveries shall take place at the premises between 19.00 and 07.00 on the following day. There shall be no collections or deliveries on Sundays or Bank Holidays.



SHOW LAYERS

- Base Mapping
- MASTERMAP
- VECTORMAP LOCAL
- Islington and surrounding Borough Boundaries
- Islington Borough Boundary
- LLPG Points (Postal)
- LLPG Search
- LLPG Points 100m Buffer to Islington (Postal)
- LLPG Points (Non-postal and Postal)
- Borough Wide
- Parking
- Housing
- LBI Organisations
- Planning - Policies Map
- Planning - Other Constraints
- Historical Maps



152 old street



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