



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

AGENDA FOR THE LICENSING SUB COMMITTEE B

Members of Licensing Sub Committee B are summoned to a meeting to be held remotely by Zoom on **6 August 2020 at 6.30 pm.**

Link to meeting: <https://weareislington.zoom.us/j/99267283737>

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 29 July 2020

Membership

Councillor Phil Graham (Chair)
Councillor Vivien Cutler (Vice-Chair)
Councillor Matt Nathan

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

B.	Items for Decision	Page
1.	Shop Cuvee, 189 Blackstock Road, N5 2LL - New premises licence	15 - 56

C. Urgent non-exempt items

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

D. Exclusion of public and press

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

E. Urgent Exempt Items (if any)

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

ISLINGTON LICENSING SUB-COMMITTEES -

PROCEDURE FOR HEARING LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003

INTRODUCTION

TIME GUIDE

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

CONSIDERATION OF APPLICATIONS:

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

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

CASE SUMMARIES

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

DELIBERATION AND DECISION

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

ISLINGTON LICENSING SUB-COMMITTEES -

PROCEDURE FOR HEARING LICENSING REVIEW APPLICATIONS UNDER THE LICENSING ACT 2003

INTRODUCTION

TIME GUIDE

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

CONSIDERATION OF APPLICATIONS:

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

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

CASE SUMMARIES

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

DELIBERATION AND DECISION

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

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London Borough of Islington

Licensing Sub Committee B - 30 June 2020

Minutes of the meeting of the Licensing Sub Committee B held by Zoom on 30 June 2020 at 6.30 pm.

Present: **Councillors:** Sheila Chapman, Vivien Cutler and Phil Graham.

Councillor Phil Graham in the Chair

- 151 **INTRODUCTIONS AND PROCEDURE (Item A1)**
Councillor Phil Graham welcomed everyone to the meeting and introduced officers and members. The licensing officer introduced herself, the interested parties and the applicant. The procedure for the conduct of the meeting was outlined.
- 152 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies for absence were received from Councillor Matt Nathan.
- 153 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Chapman substituted for Councillor Nathan.
- 154 **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 155 **ORDER OF BUSINESS (Item A5)**
The order of business would be as the agenda.
- 156 **MINUTES OF PREVIOUS MEETING (Item A6)**
RESOLVED:
That the minutes of the meeting held on 19 May and 1 June 2020 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 157 **SAINSBURYS, 91-93 ST JOHN'S STREET, EC1M 4NU - PREMISES LICENCE VARIATION (Item B1)**
The licensing officer reported that the applicant had revised the terminal hour to 10pm each day. It was confirmed that the premises was in a cumulative impact zone.

The residents, in objection to the application, stated that the early hour for the sale of alcohol was a problem as there were two local nightclubs and patrons congregated near the off-licence in the early hours. Passing Alley, next to the premises, was a public nuisance with broken bottles and groups using it as a public toilet. The CCTV installed for the alley did not appear to be much of a deterrent. Groups of people congregated and were intimidating for residents. Sainsbury's had been there for the lunchtime trade and had closed during lockdown. Increasing their hours would only benefit the late night club trade. The premises were in a

cumulative impact area and patrons would buy alcohol to pre-load before going to the nightclub and visit in the morning once the night clubs had closed. This would be a particular issue on Saturday and Sunday mornings. There were already too many off-licences in the area. If they wished to serve the community, they would not have closed during lockdown.

In response to questions it was noted that large groups of about 15/20 people gathered near the premises between the hours of 8am and 10am. They would be in various stages of inebriation. The resident had contacted the Council to complain about the issue, particularly regarding drug taking. A resident had seen cans and bottles in their hands but could not be sure where they had been purchased. Residents did not stay around because of the nuisance but stated that groups of 15/20 coming out of nightclubs in the morning was a problem and was concerned with the early licensing hour, 7 days a week. The residents did not accept the reduction in hour as they considered that the issues with litter/broken glass/vape canisters would still occur if the terminal hour was 10pm. It was stated that, Sainsbury's would provide a magnet for patrons of the nightclubs with the later hours.

The applicant stated that an application had been made in 2013 which was refused. A further application was made in 2015 which was agreed with the current hours. The applicant stated that 8am to 11pm was within normal framework hours but the concern of residents was appreciated and so the terminal hour had been amended to 10pm. With Covid lockdown the store had lost 90% of the trade overnight as it catered for mainly students and office workers. Supermarkets moved to a greater online market and staff were moved to deal with this. Following the previous hearing in 2015, CCTV and signage had been placed in Passing Alley. This area was monitored although it was not owned by Sainsbury's. There had been no issues in the morning from the nightclubs and no complaints made by residents. Responsible authorities had objected in 2015 but had not done so on this application. The nightclubs were some distance away and there was a Waitrose and a Tesco supermarket with longer hours and nearer to Fabric. There was also a Sainsbury's that was nearer to Club Reina. There was no evidence to support the statements made by residents. They had tried to build the hours within the framework hours. The current hours were a handicap to the store as customers that bought food at 8pm were unable to buy alcohol with the food and leave without purchasing any products. This left customers frustrated. It was recognised that they did not wish to contribute to the late night economy after 10pm. If there was a group gathering in the morning, Sainsbury's would willingly suspend the hours. They worked with the police and the licensing authority and would act voluntarily. Customers who could not purchase alcohol from this store would purchase it from another store so the licence would not add to the cumulative impact. As an exception to the policy, there was good management in place, it was not alcohol led, there had been no complaints or contact from residents, the terminal hour had been brought back to 10pm. The issues were focussed on the morning opening. It was hoped that the premises would open soon and provide a good community service.

The manager added that he had been running the premises for over a year. The premises did not run irresponsible drink promotions. He was conscious of the area

in which the premises was situated. They monitored the alley on the CCTV. They had a good relationship with the Police.

In response to questions, the manager stated he would not sell to customers that were inebriated. It was confirmed that the hours for a nearby Waitrose were 8am to 11pm and for Tesco, 7am to 11pm. Groups did not congregate outside Sainsbury's for alcohol in the morning as only food and tobacco products were sold at this time. Customers could buy alcohol early in the morning ready for consumption later in the day. It was stated that the premises sold a standard range of alcohol. They did not sell miniatures, single cans or high strength alcohol. Staff were trained and had a refresher course every six months. The manager talked through the Think 25 policy. They also had voluntary test purchasers across their stores to ensure that staff applied the policy.

In summary, the objectors stated that the premises was in a cumulative impact zone and the premises licence was refused in 2013. Crowds would move further along St Johns Street. Waitrose and Tesco were further out. There was no community need for longer hours.

The applicant stated that the licence was refused in 2013 amid many concerns regarding deliveries and crowds and none of the fears had been realised. The licence was granted in 2015 and those concerns had still not arisen. There was no evidence that crowds would migrate from Smithfield and reasons for refusal would need to be evidence based, as set down in case law. The experts; the Police, Licensing Authority and Public Health had not objected. The premises fitted within the exceptions to the cumulative impact policy. The hours were not as long as a local Waitrose, Tesco or even a nearby Sainsbury's.

After the decision was read out the manager stated that he had viewed the Islington Council Women's Night Safety Charter and intended to promote the policy.

RESOLVED

That the application for a premises licence variation, in respect of Sainsbury's, 91-93 St John Street, EC1M 4NU, be granted to allow the supply of alcohol, for consumption off the premises from 8am until 10pm from Monday to Sunday.

That conditions detailed on pages 33 and 34 of the agenda shall be applied to the licence.

REASONS FOR DECISION

This meeting was held under regulations made under the Coronavirus Act 2020 and it was facilitated by Zoom.

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

The Sub-Committee took into consideration Licensing Policies 2 & 3. 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.

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

The Sub-Committee noted that the hours sought, as amended by the applicant, were not within the hours specified in licensing policy 3, paragraph 24 (possible exceptions to the Clerkenwell cumulative impact policy) for Friday, Saturday and Sunday. Friday involved two hours later in the evening while Saturday had two hours at the beginning of the day and two hours more at the end of the day. Sunday had two hours at the beginning of the day but finished within framework hours.

The Sub-Committee heard evidence that there were existing problems of anti-social behaviour in Passing Alley and the local area, connected with two nightclubs further along. Residents were concerned that if the variation was granted, nightclub goers would migrate to Sainsbury's to pre-load or buy alcohol when drunk after the nightclub closed.

The Sub-Committee took into account licensing policy 2. This required them to consider the fact that the premises were located in an area of cumulative impact, the type of premises and their cumulative impact upon the area, the proximity to residential properties, the views of responsible authorities, past compliance history of current management, the type and numbers of customers likely to attend the premises and whether the applicant is able to demonstrate commitment to a high standard of management.

The Licensing Sub-Committee noted that the applicant had stated that Sainsbury's worked regularly with the Police, there had been no complaints of anti-social behaviour about their customers and they had put up CCTV, signage and lighting in Passing Alley. They also cleared litter. This was a voluntary effort on their part, they were not obliged to do so.

The manager gave strong evidence that he and his staff would not serve anyone with alcohol if they appeared to be drunk or smelt of alcohol. He had procedures for training staff before they were allowed to replenish or sell alcohol, this was regularly updated and tracking sale of alcohol electronically and staff were supervised by colleague observation on the till. There were already robust conditions preventing the sale of single cans and high strength beers or ciders and they were not changing the types of alcohol being sold.

In addition, the Sub-Committee took into account the applicant's representations that it catered to students and office workers and regular local residents. It concluded that it was unlikely that nightclub patrons would migrate any further towards Sainsbury's than they had already. There were already other supermarkets selling alcohol at longer hours closer to the two nightclubs which were discussed.

The Sub-Committee concluded that the granting of the variation with the existing conditions would promote the licensing objectives and would not impact on the cumulative impact of any of the licensing objectives. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the proposed use, meant that the premises would not add to the cumulative impact.

The Sub-Committee was satisfied that granting the variation was proportionate and appropriate to the promotion of the licensing objectives and in the public interest.

The meeting ended at 7.20 pm

CHAIR

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Licensing Sub Committee B - 7 July 2020

Minutes of the meeting of the Licensing Sub Committee B held by Zoom on 7 July 2020 at 6.30 pm.

Present: **Councillors:** Phil Graham, Ben Mackmurdie and Marian Spall

Councillor Phil Graham in the Chair

- 158 **INTRODUCTIONS AND PROCEDURE (Item A1)**
Councillor Phil Graham welcomed everyone to the meeting and introduced officers and members. The licensing officer introduced herself and the applicant's representative. The procedure for the conduct of the meeting was outlined.
- 159 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies for absence were received from Councillors Cutler and Nathan.
- 160 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Spall substituted for Councillor Cutler and Cllr Mackmurdie substituted for Councillor Nathan.
- 161 **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 162 **ORDER OF BUSINESS (Item A5)**
The order of business would be as the agenda.
- 163 **MINUTES OF PREVIOUS MEETING (Item A6)**
RESOLVED:
That the minutes of the meetings held on 19 May and the 1 June 2020 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 164 **S AND B IMPEX LTD, 3 STATION PLACE, N4 2DH - NEW PREMISES LICENCE (Item B1)**
The licensing officer apologised that additional submissions sent by the applicant's representative on the 1 July had been circulated to members just before the start of the meeting.

The applicant's representative confirmed that there were six additional pages of submissions. The amendments necessary to conditions 31 and 36 were noted. She reported that she had sought a pre-consultation with the police and then submitted the application following their recommendations. Following minor amendments the police withdrew their representation. These were detailed in the additional submission. The applicant was an existing wholesaler who had passed the fit and

proper person test. A fire safety inspection had been made and no representations had been made by them. The interested parties were not present at the meeting. In response to concerns raised, the applicant's representative stated that need was not a matter that should be taken into account when considering an application. The Sub-Committee should consider whether or not the application would impact on the licensing objectives. Conditions were proposed that would deter street drinkers and the homeless; all orders must be made the day before by telephone and would be by collection only, speciality Georgian wine only was to be sold with a minimum order of six bottles. It was proposed to sell only Georgian wine, but it was hoped that other European wines could be added in the future. Sales would exclude high strength alcohol. Match day conditions would apply to the licence so there would be no alcohol made available three hours before and for two hours after matches or collected on match days before 11am. Notices would be prominently displayed, loading/unloading would be between 8am and 9pm only. All purchases would be made by customer account. At the end of the day the frontage would be cleared of litter and waste. It was noted that the applicant was unable to attend the meeting.

In response to questions and concerns raised regarding the selling of wines from other countries, it was stated that the retail price of wine would generally be from £7 to £25. There would be no deliveries and collection only from outside the front of the premises in Station Place.

In summary, the applicant's representative stated that it was appreciated that the premises was in a cumulative impact area and conditions had been proposed to prevent an increase in street drinking.

RESOLVED

- 1) That the application for a new premises licence, in respect of S and B Impex Ltd, 3 Station Place, N4, be granted to allow the sale of alcohol, off supplies, from 10 am to 8pm Monday to Saturday and from 10am until 7pm on Sunday.
- 2) Conditions detailed on pages 46 to 49 of the agenda shall be applied to the licence with the following amendments:-
 - Condition 31 to read:- All deliveries of alcohol will be made to bona fide addresses without exception. Age-verification will also be carried out at the point of delivery. Employees of the licence holder carrying out deliveries will be instructed to take a signature for all deliveries and to require a valid form of identification from any delivery recipients appearing to be under the age of 25 before handing over the delivery. Acceptable forms of identification will be as per those detailed in condition 29.
 - Condition 36 to read:- The sale of alcohol at the premises shall be limited to Georgian wine only and sold at a minimum of six bottles per-order.

REASONS FOR DECISION

This meeting was held under regulations made under the Coronavirus Act 2020 and it was facilitated by Zoom.

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

The Sub-Committee took into consideration Licensing Policies 2 & 3. The premises fall within the Finsbury Park 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.

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

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 6.

The Sub-Committee heard evidence from the applicant's representative that the application was prepared in such a way as to avoid anti-social behaviour and in respect of orders made by telephone only, by clients and therefore with no impulse buying. There was a minimum purchase of six bottles and a next day collection only service. Match day conditions had been agreed with the police. The premises was to sell mainly Georgian wines but hoped to expand to other Eastern European wines in the future. She stated that the minimum retail price of a bottle of wine would be £7.

The Sub-Committee concluded that the granting of a licence with the conditions, as amended, would promote the licensing objectives. The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 5 and 6. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the proposed use, with the extensive conditions agreed, meant that the premises would not add to the cumulative impact.

The Sub-Committee was satisfied that granting the premises licence was proportionate and appropriate to the promotion of the licensing objectives and in the public interest.

165 **WHITECROSS OFF-LICENCE, 134 WHITECROSS STREET, EC1V 8QJ - NEW PREMISES LICENCE (Item B2)**

The licensing officer introduced the interested parties and the applicant and reported no further updates since the publication of the report.

Two residents had submitted objections to the application. One resident stated that they were not against commercial activity but there needed to be a balance between this and the amenity of residents. There were four nearby shops already selling alcohol. They had spoken to the applicant's representative who had advised that the premises would be selling only organic wine. There was a nearby park and primary school, the area attracted street drinkers and the hours of 8am to 11pm were concerning. The second resident agreed with these concerns and stated that he would like to see a restriction on the long hours. He stated that this was a mixed community with a lot of children and families, a high density area with anti-social behaviour and residents already had increasing concerns about the cumulative impact. He would be pleased to see that only organic alcohol would be sold. It was also stated that the applicant owned a local restaurant and there had been issues in the alley between this restaurant and the flats.

In response to a question from the applicant's representative it was confirmed that the residents objections were at pages 75 and 76 of the agenda. The applicant's representative stated that the applicant owned three restaurants in the area and had over 16 years at the location. He wished to sell mainly organic food and wine but did not wish to be restricted completely to selling organic wine only. The shop would be opening as a bakery at 8am, selling items such as fresh sourdough bread. They would not wish to sell alcohol so early in the morning so agreed to amend the hours from an 8am commencement time to 11am. The premises had been empty for four years and it was not believed that the premises would attract street drinkers as the price mark would not be affordable. There had been no representations from the responsible authorities and there were many conditions proposed. The review process was available if required.

In response to questions, it was confirmed that the applicant was willing to agree a start time for the sale of alcohol of 11am. The business was expected to be similar to a Wholefoods business selling mainly organic products including organic wines and beers. Alcohol was expected to be 10% of sales. A bottle of wine was expected to cost in the region of £14/£15. The bakery part of the business would commence at 8am. They would not sell any cheap drinks of high strength alcohol but did not wish to be restricted to only organic alcohol.

In summary, one resident stated that she was reassured by what she had heard and was looking forward to the bakery. The change in hours was welcome but would prefer a condition that stated that the premises would sell mostly organic food with some alcohol.

RESOLVED

That the application for a new premises licence, in respect of Whitecross Off-Licence, 134 Whitecross Street, EC1 be granted to allow:-

- 1) The sale of alcohol, off supplies, Monday to Sunday from 11am until 11pm.
- 2) The premises to be open to the public, Monday to Sunday from 8am until 11pm.

- 3) That conditions detailed on pages 83 to 85 of the agenda be applied to the licence.

REASONS FOR DECISION

This meeting was held under regulations made under the Coronavirus Act 2020 and it was facilitated by Zoom.

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

The Sub-Committee took into consideration Licensing Policies 2 & 3. The premises fall within the Bunhill 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 took into consideration Licensing Policy 4. The Council has adopted a special policy relating to cumulative impact in relation to shops and other premises selling alcohol for consumption off the premises. Licensing policy 4 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 or subject to certain limitations, 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.

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

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 6.

The Sub-Committee heard evidence that the applicant owned three restaurants in the local area and had been in the area for over sixteen years. He wanted to sell mainly organic food and wine similar to a Wholefoods business. He agreed to amend the licensing hours from 8am to an 11am start.

The Sub-Committee heard evidence from a resident about the anti-social behaviour in the area and concerns about street drinking in the proximity of a park and primary school. However, she was pleased with the revised start time and welcomed the presence of an organic bakery. She would welcome a restriction of alcohol to be mainly organic wines.

The Sub-Committee noted that alcohol would be only 10% of all sales, high strength alcohol would not be sold and 15% of the total sales area would be used for the sale or display of alcohol.

The Sub-Committee concluded that the granting of the licence with the agreed conditions would promote the licensing objectives. The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 5 and 6. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the proposed use meant that the premises would not add to the cumulative impact.

The Sub-Committee was satisfied that granting the premises licence was proportionate and appropriate to the promotion of the licensing objectives and in the public interest.

166 **CRUDOUGH PIZZERIA, 10 NAVIGATOR SQUARE, N19 3TD - NEW PREMISES LICENCE (Item B3)**

The licensing officer reported that the interested party was not present at the meeting. A revised plan had been distributed to members to replace the plan submitted at page 110 of the agenda.

The applicant stated that there had been some confusion with the address and there was A3 planning consent for this premises. Conditions had been agreed with the Licensing Authority and the Noise Team. The rear garden would be closed at 10pm and this would address resident concerns. There had been no complaints from residents. There would be half an hour drinking up time with a close time of 11pm. There was a designated spot for delivery drivers and there would be a sign to help prevent drivers remaining.

In response to questions, it was noted that delivery drivers would deliver alcohol. The premises would ask for ID at the point of sale and they would be using recognised delivery companies who were trained in Challenge 25 requirements.

RESOLVED

- 1) That the application for a new premises licence, in respect of Crudough Pizzeria, 10 Navigator Square, N19 be granted to allow:-
 - a) The sale of alcohol, on and off supplies, Monday to Sunday from 12 noon until 11pm.
 - b) The premises to be open to the public, Monday to Sunday, from 12 noon until 11pm.
- 2) That conditions detailed on pages 113 and 115 of the agenda shall be applied to the licence.

REASONS FOR DECISION

Licensing Sub Committee B - 7 July 2020

This meeting was held under regulations made under the Coronavirus Act 2020 and it was facilitated by Zoom.

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

The Sub-Committee took into consideration Licensing Policies 2 & 3. The premises fall within the Junction 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.

One local resident objection had been received. There had been no representations made by the responsible authorities.

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 6.

The Sub-Committee noted that the resident had concerns about the use of the rear garden and anti-social behaviour. The Sub-Committee noted that there was a proposed condition to limit the use of the garden to 10pm and that the last sale of alcohol would be no later than 10.30pm. It was confirmed that delivery drivers would be trained on Challenge 25, would be using non-motorised delivery vehicles and the applicant would be using recognised delivery companies.

The Sub-Committee concluded that the granting of the licence with the agreed conditions would promote the licensing objectives. The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 5 and 6. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the proposed use, with the conditions agreed, meant that the premises would not add to the cumulative impact.

The Sub-Committee was satisfied that granting the premises licence as sought was proportionate and appropriate to the promotion of the licensing objectives and in the public interest.

The meeting ended at 7.45 pm

CHAIR

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Report of: Service Director, Public Protection

Meeting of:	Date:	Ward(s):
Licensing Sub-Committee - B	06/08/2020	Highbury East

	Exempt	Non-exempt
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SUBJECT: PREMISES LICENCE NEW APPLICATION
RE: SHOP CUVÉE, 189 BLACKSTOCK ROAD,
ISLINGTON, LONDON, N5 2LL

1. Synopsis

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

1.2 The new application is to allow:

- The sale of alcohol, which may be consumed on and off the premises on Monday to Sunday from 09:00-23:00.
- To permit the premises to open to the public on Monday to Sunday from 09:00-23:00.

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	No:
Other bodies	No: Seven local residents

3. Background

- 3.1 This is a new licence application for a premises licence. The applicant's already operate a premises at 177a Blackstock Road. This premises is primarily a restaurant although due to the Covid closure regulations they were operating as a retail premises without any licensing issues.
- 3.2 This application was subject to eight representations from local residents. The applicant has forwarded letter in response to the representations. At the time of writing the report one of the local residents has withdrawn their objection.
- 3.3 The original application also including the provision of recorded music, this has now been withdrawn from the application.

4. Planning Implications

- 4.1 There are no planning implications to this application.

5. Recommendations

- 5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 5.2 If the Committee grants the application it should be subject to:
- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 4); and
 - ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 4)

6. 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.

Appendices:

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

Background papers:

None.

Final report clearance:

Signed by:



Service Director – Public Protection

29/07/2020

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

Section 1 of 21

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

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant? <input type="radio"/> Yes <input checked="" type="radio"/> 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	Brodie	
* Family name	Meah	
* E-mail		
Main telephone number		Include country code.
Other telephone number		
<input checked="" type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		
Are you: <input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader <input type="radio"/> Applying as an individual		A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	12557099	
Business name	Shop Cuvee LTD	If your business is registered, use its registered name.
VAT number	-	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

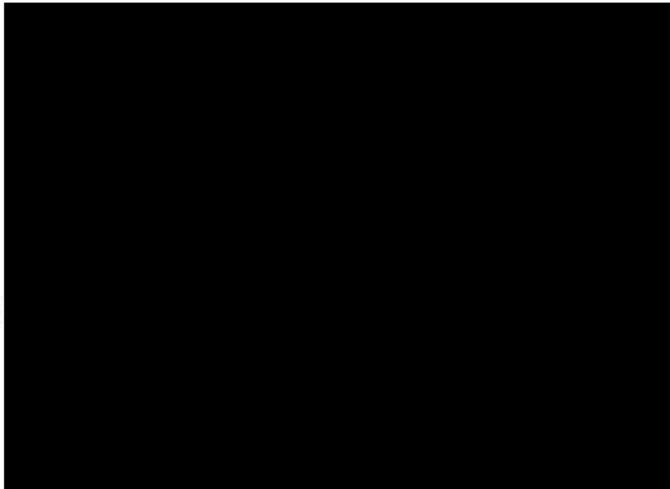
Registered number (where applicable)

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

Continued from previous page...

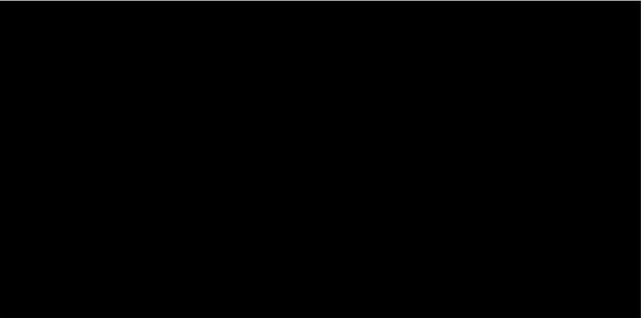
Address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country



Contact Details

E-mail
Telephone number
Other telephone number
* Date of birth



* Nationality

British

[Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

Wine shop and Deli, with consumption of alcohol on premise being ancillary to the main activity of retail sales. Basement used for storing stock, off sales for consumption at home.
Selection will be high end wines starting at approx £12 - a specialist wine shop and deli with a higher end offering than many of the local off licenses in line with our nearby restaurant.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not
exclusively) whether or not music will be amplified or unamplified.

Background music from a small stereo

State any seasonal variations for playing recorded music

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

Continued from previous page...

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

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

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="11:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="11:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="11:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="11:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="11:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

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

Continued from previous page...

Name

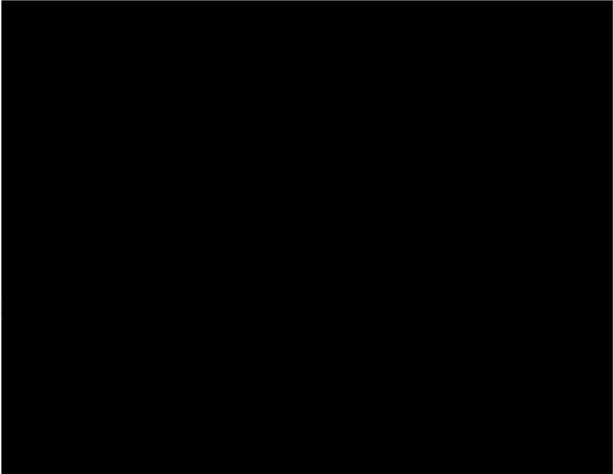
First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country



Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

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

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

With a combined 20 years in the hospitality industry and as current license holder/operator of a number of venues across different London boroughs we are confident that we will promote the four licensing objectives.

We have been operating our neighboring restaurant as a shop selling wines from our list, cured meats, cheese and deli items during the covid-19 pandemic. This new premises will enable us to continue this operation once we are able to re-open the restaurant.

We expect our clientele to be in the 25+ age range and will in no way be promoting excessive or irresponsible drinking activities. With regards to the retail sale of alcohol; this will be geared at the "specialty" end of the market giving customers the opportunity to purchase high quality wines and beers along with our charcuteries and cooking ingredients not available at other local outlets to enjoy at home. We do not aim to be a typical "off license" providing low cost alcohol for immediate consumption.

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with particular attention to:

- a/ no selling of alcohol to underage people
- b/ no drunk and disorderly behavior on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs
- d/ no violent and anti-social behavior
- e/ no harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours clearly displayed.
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act.
- Operate a "Challenge 25" policy to prevent the supply of alcohol to under-age drinkers.
- Roller metal exterior window shutter in use to ensure that premise is safe and secure at all times

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

We will take the following steps to promote the prevention of crime and disorder in association with the premises:

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises license during which licensable activities are permitted.

Not offering any irresponsible alcohol promotions.

No selling of alcohol to drunk or intoxicated customers; Staff will be trained on how to refuse to serve patrons who are drunk. This will include the right to refuse to serve an individual any more alcohol and ejecting or refusing entry to customers who are disruptive.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Continued from previous page...

Staff will retain the right to refuse entry to anyone under the influence and instances where staff deal with individuals under the influence will be recorded.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner.

A CCTV system will be installed within the premises and recordings will be made in real time with copies available for the police. Recording equipment is kept in a secure, staff only area.

Incidents will be logged and reported to relevant authority if they occur.

The street outside the premises is well lit and will be maintained whilst it is open. Blackstock Rd is a well lit, busy street.

Non-public areas will be locked, available only with a key or code.

Excessive consumption of alcohol will never be the focus of the venue.

Operating hours will always include the provision of food.

Drinking water will be supplied to every guest alongside any alcoholic beverages.

No queuing is envisioned during usual operations.

Signs will be displayed to request patrons to leave in a quiet manner.

Customers waiting for taxis/ubers will be able to wait inside until transport arrives for a quick and quiet dispersal.

c) Public safety

Risk assessment

A full risk assessment will be completed pre-opening identifying potential hazards within the physical premises and setting our precautions to manage these hazards.

Risk assessments will be reviewed regularly and logged.

Routine checks of the premises will take place every day. Any new hazards found will be logged and communicated.

Toilets are self-contained and include a sink and dryer. Toilets will be checked and cleaned regularly throughout the daily operation.

Fully stocked first aid boxes will be available on the premises throughout operating hours.

First Aid boxes will be restocked on a regular basis. Any items used will be recorded and monitored.

Accidents will be logged within an accident book which will be regularly reviewed and any required mitigating actions implemented.

Internal and external lighting set to promote public safety.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

Instances where staff deal with individuals under the influence will be recorded.

No smoking will be permitted within the premises at any time.

Local taxi numbers and information regarding the nearest public transport routes will be available to all customers.

Signs will be displayed to request patrons to leave in a quiet manner.

Continued from previous page...

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Amplified music will be played at reasonable levels. It will be the responsibility of the manager to ensure that levels of music are not excessive and this will be monitored.

A contact telephone number will be made available to local residents who can report any disturbances as they occur.

No queuing is envisioned during usual operations.

Clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Customers waiting for taxis/ubers will be able to wait inside until transport arrives for a quick and quiet dispersal.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises.

Customers will not be admitted to premises outside of opening hours.

Refuse and glass bins are situated indoors, minimizing the risk of noise from disposing of waste becoming a nuisance.

Bins will not be put out for collection on the street after 23:00 or before 07:00.

e) The protection of children from harm

Operate a "Challenge 25" policy to prevent the supply of alcohol to under-age drinkers.

A refusal log shall be kept on the premise.

No children under the age of 18 will be allowed on the premises without being accompanied by a responsible adult.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

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

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

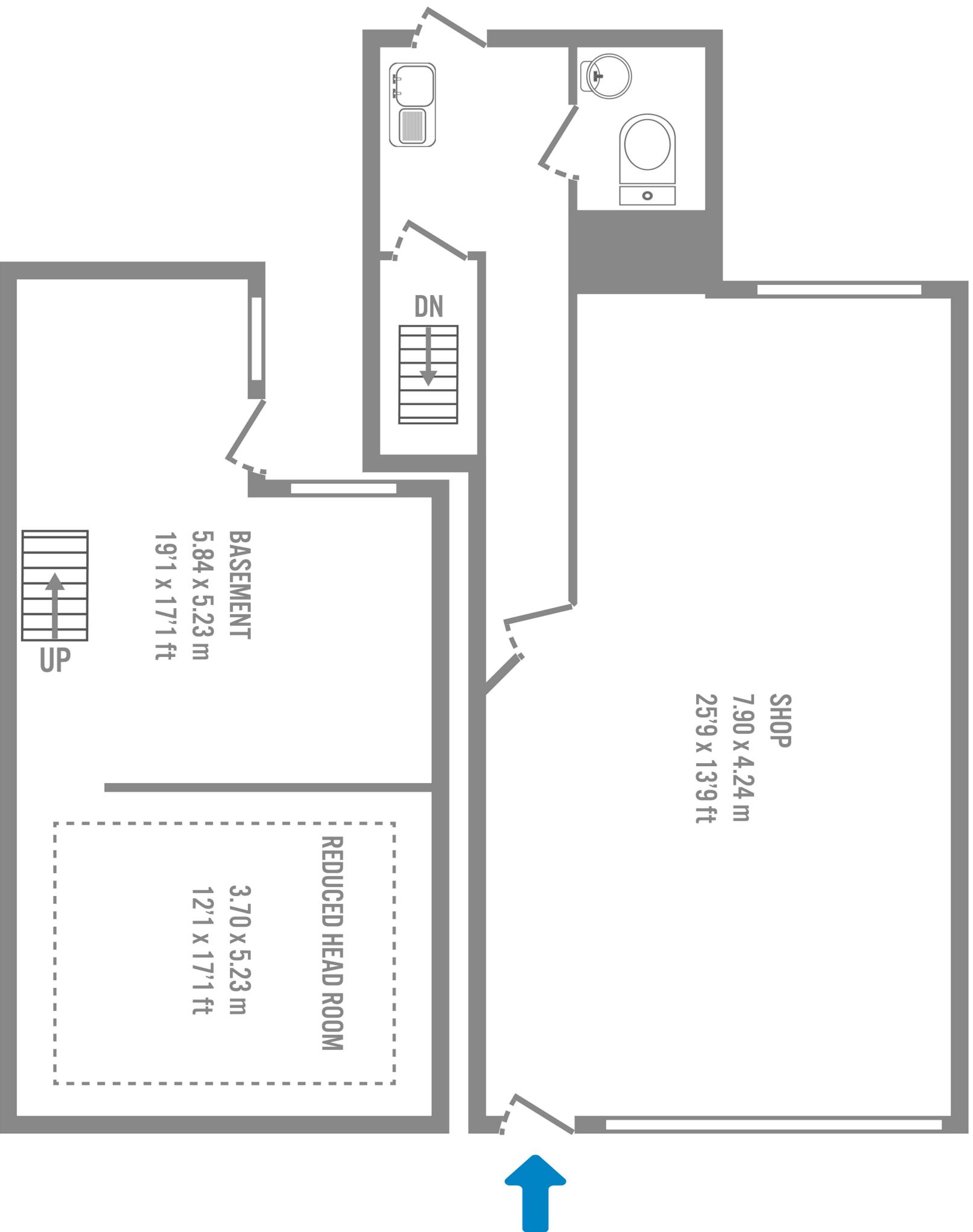
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

OFFICE USE ONLY

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

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)



TOTAL: 85 sqm | 968 sqft

BASEMENT AND REDUCED HEAD ROOM : 45 sqm | 484 sqft

MEASUREMENTS ARE APPROXIMATE | NOT TO SCALE | ILLUSTRATIVE PURPOSES ONLY | MADE WITH SENSE

Appendix 2

Rep 1

Dear Licensing team

We have received notification of the application for a license for the premises at 189 Blackstock Road, N5.

I see no need for another wine shop. The premises at no.189 is in-between two other shops selling alcohol, and there is an off license and small supermarket selling alcohol 1 minute away in Blackstock Road. There is no need for yet another off license, but I have no objection to a Deli.

There is also no need for another drinking venue. We already have a number of drinking venues in our immediate vicinity ie The Bothy and Finks in Mountgrove Road, Grin and Beer just opposite 189 Blackstock Road, and of course the Arsenal Tavern on the corner of Canning Road. I object to yet another drinking venue - and have strong objections about it becoming a wine bar with outside drinking space at the back of the shop, as listed below:

1. Prevention of crime and disorder

- more access to alcohol causing rowdy behaviour that could result in crime or disorder.
- more drinking might encourage the Finsbury Park drug dealers to get bolder about dealing in this part of Blackstock Road.

2. Prevention of public nuisance

- if wine is drunk on the premises it could lead to an increase in the number of noisy drinkers that leave at 11pm and come round the corner into Canning Rd to urinate in our front gardens.
- more loud music (which is already a problem in the Top Cuvee restaurant) which will cause noise pollution for the homes in Canning Road on that side of the street.
- any noise at the back of the shops in Blackstock Road is amplified in the space between these shops and homes on that side of Canning Road. It is a well known problem, and it will make our lives miserable.
- we do not want to set a precedent that will enable other shops to use their back gardens as restaurant or drinking spaces with loud music
- The Top Cuvee restaurant, whose application this is, already cause problems for us with their loud music. We do not trust them to respect the needs and rights of the community to a peaceful life.

3. Public safety

- the premises are very close to the bus stop so putting bus queues at risk of rowdy behaviour particularly in the evenings and at night.

Kind regards

Rep 2

Hi there

I am writing to object to a license application on 189 Blackstock Road, N5 2LL. I would like to object to it on the basis of the prevention of public nuisance. The footfall for the premises in question involves several takeaway outlets and a busy bus stop. It will be loud and very disruptive for the neighbours on Canning Road. The last time Top Cuvee had an event that went on until 11pm, it kept our house awake for hours. This would make our lives a misery if it were a daily occurrence as the venue in question backs onto our gardens. I very much hope it doesn't go ahead and ruin the peace of this lovely area.

Very best

Rep 3

PDF attached

Rep 4

Licensing Act 2003 representation pro-forma

Premises name and address: Shop, 189 Blackstock Road, Islington, London, N5 2LL

Public nuisance

Already the rear space between the shops on Blackstock Road and the houses on Canning Road is extremely noisy due to the restaurant extractor fans (11am-around 12am at night), the off-licence refrigeration fans, and the butcher's outdoor refrigeration room unit (both throughout the day and night). These ambient noises may in some cases already breach illegal limits, and are echoed and amplified through the rear spaces of the houses on either side, and at the very least prohibit enjoyable use of the outdoor spaces, impact on the ability of residents in the rear bedrooms to sleep, and produce noise that permeates the

whole rear section of the houses during the hours listed above. It is imperative that further noise pollution is not enabled, further reducing the quality of life for residents in the vicinity.

On matchdays (i.e. 1-2 per week for 9 months of the year) the area becomes extremely crowded with football fans in and around all local drinking establishments, and further alcohol licensed venues will further increase these numbers of drinkers.

Crime and disorder

We already have a large number of drinking establishments in the Blackstock Rd area, which have led to increased numbers of drunk and disorderly individuals in both the immediate and surrounding areas, with individuals utilising the local back streets for illicit and illegal activities, urinating on garden walls, and disposing of waste in gardens.

Protection of children from harm

Many of the houses on Canning Road which back onto the shops of Blackstock Road have small children residing, and in many cases in the rear bedrooms. As described above, the ambient noise at most hours of the day is highly problematic, and additional noise pollution (especially from 7pm-) will promote a deleterious effect on their wellbeing, sleep and growth.

I wish my identity to be kept anonymous: No

Signature:

Rep 5

PDF attached

Canning Road

Rep 6

Withdrawn

Rep 7

PDF attached

Rep 8

To Whom It May Concern

Please find my objection to the above application:

I live on Canning Road, which backs on to the row of shops on Blackstock road . Number 189 is almost at the back of our residence.

1) The Prevention of Public Nuisance

- The residents of the houses on Canning road which back on to the shops suffer dreadfully from noise pollution relating to the refrigeration units on the shops and also the extractor fans on the fast food/restaurants.
- The gardens in between the shops and houses act as a funnel, channelling noise along their length
- The 'yard' area of our gardens acts as an 'amphitheatre' magnifying noise immensely
- I believe the 189 shop premises has a back yard/garden area, which the applicant might use as a 'beer garden'
- This would fuel noise when in use; 9am - 11pm all week and as stated above become unbearable due to the acoustics here
- The application wishes to play recorded music 9am - 11pm all week - resident's bedrooms are located at the rear of the houses
- Families have young children sleeping at the back
- The frontage of 189 is directly behind the bus stop on Blackstock road
- This is a very well used bus stop. Off-sales and inside drinking would result in people spilling on to the pavement (e.g. smokers)
- Harassment of people at the bus stop might ensue/complaints of smoking/perhaps foul language could be exchanged

2) The Protection of Children from Harm and Public Safety

- There are 3 Primary schools, an early years' nursery and an after-school homework club in close proximity, plus Secondary school
- The parents with children attending these educational establishments use the narrow pavement between this shop and the bus stop
- Children's health from smoker's could be compromised, plus danger of moving on to road for walking space
- All day drinking could result in dangerous drunken behaviour on the pavement at busy times

3) The Prevention of Crime and Disorder

- There is already a problem with drug dealers nearby in Blackstock road at Finsbury Park

- These people may be attracted to this location with its 2 fast food shops if there is an additional attraction of music and alcohol
- Plus the invitation of a ready escape route on public transport from the bus stop should the police arrive
- Invariably 11 pm closing all week will result in more people under the influence of intoxicating liquor and more noise in the vicinity
- The shop premises is very small and there can not be enough room for a sufficient number of toilets
- This would result in public urination - possibly in nearby front gardens
- The shops either side already sell bottled alcohol
- There are at least 7 drinking establishments in close proximity to 189
- There are also 6 shops on this stretch, (up to Brownswood road), selling bottled alcohol

On behalf of the rest of the street and my family I urge you to reject this application for a license at this premises.

With thanks,

Yours sincerely,

Extra information

To Whom It May Concern

This is a 'hot-off-the-press' update on the above application from Top Cuvee owners, who operate from Mountgrove road, N.5.

On Friday I went past the Top Cuvee trading premises and was shocked that they were now operating as a crowded drinking establishment once more.

Customers were sat next to each other at the window tables drinking, whilst others stood in the doorway and on the pavement.

They are clearly not adhering to opening rules of 1 or 2 metre distancing between drinkers.

The customers occupying the pavement space and the lack of adherence to requirements could easily be an indication of what could be anticipated should they be granted a licence for no. 189, Blackstock road, N.5.

The attitude is completely reckless at this tenuous time of the Covid 19 pandemic.

Please see my objection submitted Wednesday 8th July with regard to these points.

Many thanks for taking in to account this important follow-up.

Yours sincerely,

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: Shop, 189 Blackstock Road, Islington, London, N5 2LL

Your Name: [REDACTED] SORIA

Interest: RESIDENT

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

Your Address:

[REDACTED ADDRESS]

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
SELLING ALCOHOL THAT MAY BE CONSUME OFF AND ON THE PREMISES, ~~AND~~ ~~DEFINATELY~~ TOGETHER WITH PLAYING MUSIC, WILL DISTURBE ALL NEIGHBOURS

Crime and Disorder
SELLING ALCOHOL ATTRACT YOUNG GANGS AND WILL INCREASE NUMBER OF DRUNK PEOPLE AROUND WHICH BY EXPERIENCE WE KNOW INCREASES CRIME AND DISORDER

Protection of Children from Harm

THE ARE MANY CHILDREN IN THE HOUSES NEAR BY AND FEW SCHOOLS IN THE AREA. HAVING DRUNK PEOPLE WILL DECREASE THEIR SAFETY AND DISCOURAGE FAMILIES TO ENJOY WALKING IN THAT ROAD WHICH IS UNFAIR GIVEN THAT BUSES THAT GOES TO SCHOOL ARE THERE. I WOULD NOT TRUST OLDER KIDS TO TRAVEL ALONE BY BUS TO SCHOOL WITH THIS LICENCE.

Public Safety

BLACKSTOCK ROAD IS SOMETIMES A BIT UNSAVED, SPECIALLY AT NIGHT. I DONOT FEEL SAVE TO WALK ALONE IN THE DARK. PREMISES SELLING ALCOHOL MAKES IT EVEN WORST AS IT CONGREGATES DRUNK PEOPLE AND DECREASE PUBLIC SAFETY

I wish my identity to be kept anonymous: Yes No

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

PLEASE USE MY INITIALS (CS) RATHER THAN MY FULL NAME

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 [REDACTED]

Date: 10-7-2020

Please ensure name and address details completed above

Return to:

Licensing Service

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

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

10 July 2020



Licensing Service
London Borough of Islington
Public Protection Division
Third Floor
222 Upper Street
London N1 1XR
Email: licensing@islington.gov.uk

Your reference: WK / 200020640

Dear Licensing Team

**LICENSING ACT 2003 - PREMISES LICENCE APPLICATION NEW
RE: SHOP, 189 BLACKSTOCK ROAD, ISLINGTON, LONDON N5 2LL**

We have been informed about the above new licence application by Shop Cuvee LTD to become a high end wine shop and delicatessen with music and onsite drinking provision.

We would welcome the addition of a high end wine shop and delicatessen but have **objection to the music and onsite drinking**. We shall refer to the above application as the “shop”.

NOTE: all references to visitors are during normal times and not during Covid lockdown.

Reasons for Objection of Music and Onsite Drinking Provision

Cumulative Impact Area

There are already many pubs and bars in the immediate vicinity that locals and visitors can enjoy.

Arsenal’s home games brings a potential of an additional 60,000 people into our local area. Some of these people visit for pre match and / or post match drinks. The impact of drinking and a “celebratory and carnival mood of vocal football banter” is often felt long into the evenings by residents and another onsite drinking venue is not needed to add to what can be a nuisance and anti social behaviour to local residents.

The following pubs and bars are in the immediate vicinity of the proposed “shop”:

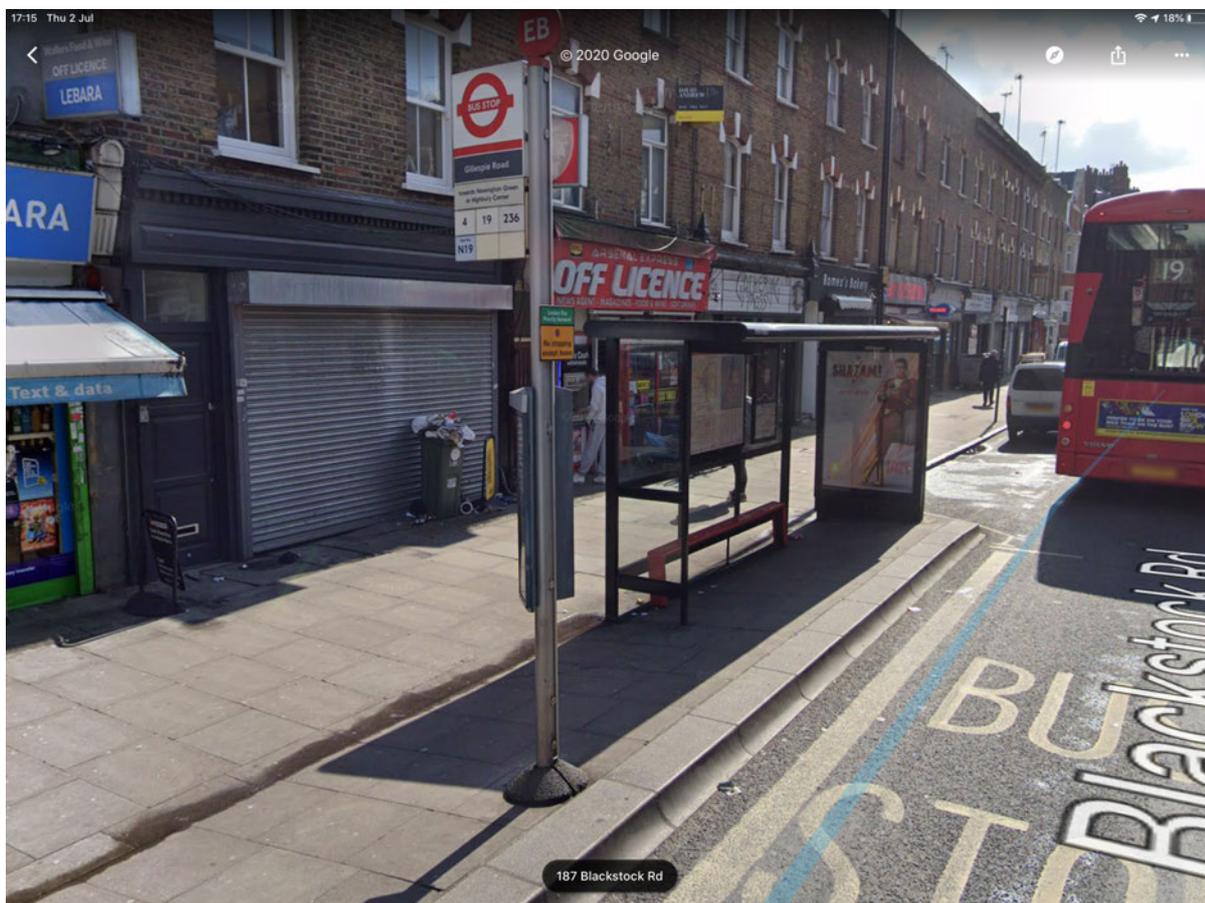
- Grin and Beer It
- The Woodbine
- Arsenal Tavern
- The Mountgrove Bothy
- Top Cuvée
- The Kings Head
- T Bird
- The Gunners
- Bank of Friendship

Our area has also become a drinking destination for visiting patrons at these above drinking establishments, who in turn are often rowdy, congregate and chat loudly on Canning Road / Mountgrove Road after closing and urinate in our gardens. Both football and destination visitors to the area often sing late into the evenings, congregate, chat and sing loudly.

To summarise we don’t welcome another drinks venue to add to the cumulative impact in our residential area so object to the onsite drinking element to the licence.

Public Safety and Prevention of Public Nuisance

The location of 189 Blackstock Road, has a bus stop with bus shelter immediately outside the premises. The footfall of this street is very high with people and families visiting the shops or using the bus stop.



Source: Google Maps

This brings into question the size of the shop at 650 sq ft. It does not seem suitable to be both a shop and an onsite drinking venue. The size of the shop will cause drinkers to spill out and drink on the pavement. It is also inevitable that some visitors will smoke outside the venue on the pavement, this is often accompanied by others chatting to the smokers outside as well.

As mentioned the pavement space outside is a small pedestrian corridor due to the position of the necessary bus stop. The inevitable drinking and accumulating of people outside will block this narrow space even more and cause pedestrian footfall to go into the road, which is dangerous for both children and adults.

Lots of school children use this bus stop to get to / from school and it will be dangerous to navigate a pavement of drinkers / smokers and may cause them to walk into the road to get past, a road that is a major bus route.

The objections are based on the current behaviour and attitudes of the owners who also own and manage Top Cuvee nearby. We would like to point out that Top Cuvee is a restaurant but has behaviours of a bar and not what you'd expect from a restaurant. We feel that the owners of Shop Cuvee LTD cannot be trusted to have the ability to control crowds of people drinking outside and blocking the pavement.

This opinion is based on the current behaviour and attitude by the owners of Top Cuvee, where they continually allow people to congregate and block the pavement outside their restaurant on 177B Blackstock Road.

The actual entrance is on Mountgrove Road, which has a high pedestrian footfall to access nearby residential streets, and the pavement is narrow. This pavement is often blocked by patrons and they continually place a wooden bench outside this venue, even though the council have asked them not to. This encourages people to sit and block the pavement even more.

This picture was taken on Saturday 4 July 2020:



There was no regards to social distancing and the owners of Top Cuvee allowed people to congregate outside which forced pedestrians to walk into the road.

Mountgrove Road is a busy road with vans, scooters and cars that travel up to Green Lanes. The traffic calming in this particular section also makes drivers / riders push to get the priority position as typically only one vehicle fits, making this dangerous for pedestrians if they're forced into the road.

This is not a one off scenario, this happens often on match days and weekends.

The behaviour is that of a bar and not a restaurant.

For this reason we feel that Shop Cuvee will have the same crowds of people congregating outside as well.



This picture was taken on 16 February 2020 and typical of a weekend or a match day.

Patrons are still served when they are drunk and we have had people vomiting outside and on Canning Road as well.

As mentioned we wanted to point out what happens at their restaurant location to given an indication of what can be expected if they were to also have a wine bar at 189 Blackstock Road.

We also don't want to attract even more drug dealing that is going on at the corners of Mountgrove and Canning Road.

Public Nuisance with Music Licence

The shop backs onto a residential street and the provision of a music licence will cause a nuisance to residence who live behind.

Again referring to the current behaviour of the owners, I don't have faith that the Shop Cuvee will keep the noise down as their restaurant Top Cuvée already causes considerable nuisance with noise. We have on several occasions had to make a complaint to Islington Council's noise team to ask the music to be turned down.

We have even turned up after midnight to ask them to turn the music down.

The owners are dismissive of residents' complaints and say we are exaggerating even though members of Islington Council's night team have asked them to turn the music down.

Please note I had a conversation with Anne Brothers who spoke to Top Cuvee about the noise and this is on record 26 February 2020. This was followed up with an email from Anne Brothers as well.

Even during lockdown we can hear loud music coming from the kitchen into the houses behind on Canning Road.

It is for this reason that the current disregard and attitude to residents by the Top Cuvee restaurant that we don't believe the "shop" should also have a music licence when their current behaviour is to play music loudly even after complaints and council employees asking them not to.

To summarise we welcome the top end wine shop and deli, but the "shop" should not be provided with a drinking onsite and music licence.

Kind regards



Top Cuvee
177a-177b Blackstock Road
London
N5 2LL

Hello Neighbours,

I hope this letter finds you well during such uncertain times for everyone.

I am writing to you as I understand that you have put in a representation against our recent application to open a natural wine shop and delicatessen at 189 Blackstock Road. I respect your concerns, all are valid but due to the limited information available from our application I would like to lay out in detail exactly what our plans are for the shop in the hopes that it will arrest your concern and you may withdraw your representation and allow us to move forward before attending a hearing.

Firstly this site is planned to be a shop - not a bar as has been mentioned. We point to our website www.shopcuvee.com to see the carefully curated nature of our offering, we work with small wine producers, local craft beer brewers and plan to expand our deli offering with the same mindset around local produce once we have sufficient storage space. A large part of our business is online but we wanted to offer local residents a deli and wine shop they can pop into as we re-open the restaurant. We have applied for the sale of alcohol on site purely to allow us the flexibility to host wine tastings and other relevant events to generate extra income on occasion without falling foul of licensing. As detailed in the application any alcohol consumed on site must be ancillary to the main purpose as a retail outlet. We are more than happy to include clauses in our license which licensing deem appropriate to ensure that we are not operating in a grey area, we have maintained a close relationship with the licensing committee and police through our time in the neighbourhood to make sure we are not only compliant but actively working to reduce crime and disturbance.

I understand the shop is in between 2 existing shops that also sell alcohol, it's important to note that our business is completely different to both these stores. We will be selling high end products designed to be taken home, not for immediate consumption - this has been detailed in the restrictions put in place by the police who are happy with our commitment to helping to reduce crime in the local area.

Regarding use of the back yard as a "beer garden", the backyard of the property is not part of our lease so we will have no access to it, as such it will also not be covered by our alcohol license so there really is zero possibility of this happening. Further to this I have also removed the request for recorded music on site, in respect to the concerns about noise pollution.

With regards to crime and disorder - I feel I must strongly oppose any suggestion that my business is responsible for increased drug dealing or any other criminal activity in the area. This is an allegation that without any supporting evidence shouldn't be attributed to our business. We have a zero tolerance policy on drugs and have had zero issues with criminality in the time we have been operating at Top Cuvee. We are a family friendly restaurant serving the community - I am confident the police will support me when I say that responsible licensed premise operators are a positive force for reducing crime rather than an accelerator and as such, should be encouraged to thrive.

Some have raised concerns about us opening and not adhering to rules around COVID-19; we have completed a risk assessment as required by law and are adhering to the guidelines set out by the government with regards to changes made to our restaurant and the way we work. We are working closely

with the council and have been told what we are doing is satisfactory by our environmental health officer. Branding us “reckless” is unfair, we are operating within the guidelines and doing our best under immense pressure. Economic pressure is mounting and we are set to see many restaurants like ours close down that will add to the countless job losses already seen through the sector. The photographs attached are not representative of our usual operations - the one dated Saturday 4th is showing people waiting for a table while we maintain a reduced number of people inside due to COVID-19, we have taken direct guidance from the council that this is best practise.

The one dated February was during a granted Temporary Events Notice. It shows people seemingly waiting for a taxi, or waiting to be granted entry, it's impossible to say exactly what was happening at the time this picture was taken, but it is not representative of a breach of license, or indicate inebriated customers causing an impact on the locality.

I am in agreement that there have been incidents of undesirable behaviour but maintain that this is not as a result of our operation, we are surrounded by other licensees who operate less responsibly and have had to deal with issues caused by them. We have personally cleaned up vomit and urine from the street left by patrons of a local pub, it is no coincidence since this pub in particular ceased to trade there has been a reduction in this behaviour.

I believe that the shop will be a positive addition to the neighbourhood, and welcome suggestions from local residents on how to achieve this. 80% of our current customers live locally and we maintain good communication with all of them about any issues in the area. I hope to work with you all, to add a friendly and responsible shop to the local area. I strongly feel it is the addition of businesses like ours, and a close relationship with the community that reduce crime and anti social behaviour, continuing the improvement of the area.

Thank you for taking the time to read this letter, I hope it has addressed any concerns you may have around our plans and as such I implore you to withdraw your representation so we can get on with the business of serving and creating jobs in the community. While we have changed hats to become shopkeepers, first and foremost we are hospitalitarians, our door is always open to local residents so I encourage you to please come and speak to me directly at the restaurant if you have any further questions, concerns or indeed about anything at all.

Sincerely,



Brodie Meah

Suggested conditions of approval consistent with the operating schedule

1. 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) The system will be specified so as to operate satisfactorily regardless of lighting conditions;
 - (h) During opening hours, at least 1 member of staff on duty will be able to operate the system sufficiently to allow Police or authorised Council officers to view footage on request;
 - (i) Recordings will be kept for a minimum of 31 days;
 - (j) Footage will be provided free of charge to the police or other authorised officers upon request (subject to the Data Protection Act 1998) within 24 hours of any request.
2. An incident log shall be kept at the premises, and made available upon request to the police or an authorised officer, which will record:
 - (a) Any and all allegations of crime and/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. 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.
4. The premises will operate the 'Challenge 25' proof of age scheme.

- (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 holograph equipped 'PASS' scheme cards, will be accepted.
5. Vertical drinking shall only be permitted on the premises during advertised wine tasting events (Max 30 people at any one time).
Off sales will only be permitted whilst the premises operates as a specialist wine shop.
 6. Regarding any off sales for delivery, made by way of telephone/internet orders, the following will be adhered to :
 - (a) Only fine, premium wines and premium craft beers will be sold for delivery
 - (b) Appropriate age verification software must be used to verify the age before the sale takes place. Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk , obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18 .
 - (c) Any person taking an order for the supply of alcohol on behalf of the premises licence holder will inform in for all customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram will be required at point of delivery before alcohol is supplied.
 7. Staff shall be trained on how to refuse to serve patrons who are drunk. This training shall will include the right to refuse to serve an individual any more alcohol and ejecting or refusing entry to customers who are disruptive.
 8. Signs will be displayed to request patrons to leave in a quiet manner.
 9. Customers waiting for taxis/ubers will be able to wait inside until transport arrives for a quick and quiet dispersal.
 10. A full risk assessment shall be completed, this risk assessment will identify potential hazards within the physical premises and setting our precautions to manage these hazards.
 11. This risk assessments shall be reviewed regularly and logged.
 12. There shall be routine checks of the premises will take place every day. Any new hazards found will be logged and communicated.
 13. Toilets shall be checked and cleaned regularly throughout the daily operation.
 14. There shall be a fully stocked first aid available on the premises throughout operating hours.
 15. First Aid boxes shall be restocked on a regular basis. Any items used will be recorded and monitored.
 16. Internal and external lighting shall be installed to promote public safety.
 17. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, shall be maintained at all times in good order and in a safe condition.
 18. Local taxi numbers and information regarding the nearest public transport routes will be available to all customers. Signs will be displayed to request patrons to leave in a quiet manner.
 19. Amplified music will be played at background levels.
 20. A contact telephone number shall be made available to local residents who can report any disturbances as they occur.
 21. Customers shall be asked not to stand around loudly talking in the street outside the premises.
 22. Refuse and glass bins shall be situated indoors.
 23. Bins will not be put out for collection on the street between 23:00 and 07:00.
 24. No children under the age of 18 shall be allowed on the premises without being accompanied by a responsible adult.

LBI MapThat Viewer v4



SHOW LAYERS

COVID-19 +

Base Mapping +

Borough Wide +

Parking +

Housing +

LBI Organisations +

Planning - Policies Map +

Planning - Other Constraints +

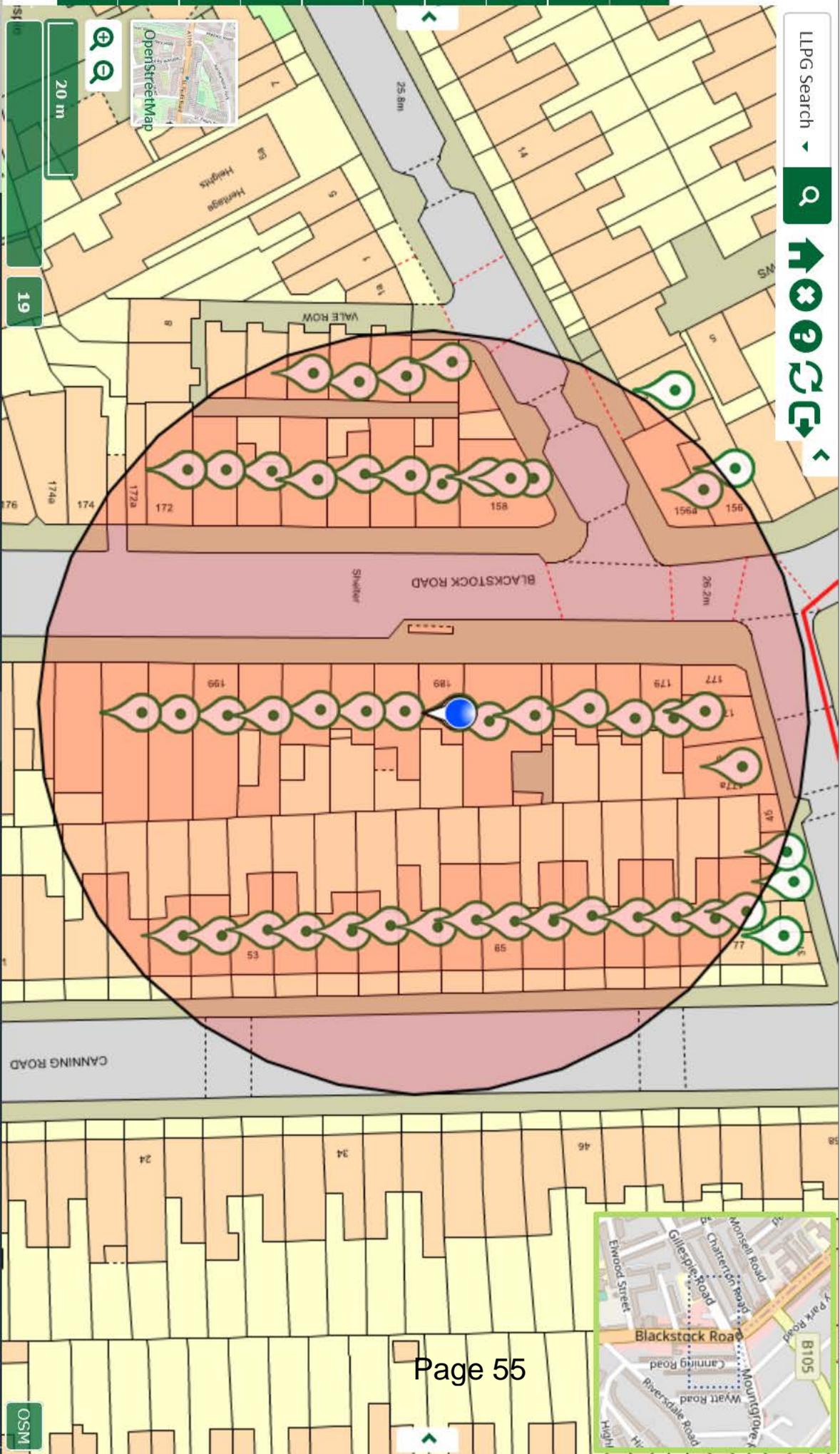
Historical Maps +

LLPG Search



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