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

AGENDA FOR THE LICENSING SUB COMMITTEE D

Members of Licensing Sub Committee D are summoned to a meeting, which will be held in Council Chamber, Town Hall, Upper Street, N1 2UD on, **12 October 2022 at 6.30 pm.**

Enquiries to : Jackie Tunstall Tel : 020 7527 3068

E-mail : democracy@islington.gov.uk

Despatched : 4 October 2022

<u>Membership</u> <u>Substitute</u>

Councillor Angelo Weekes (Chair)
Councillor Asima Shaikh (Vice-Chair)
Councillor Joseph Croft

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
- 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.

Order of Business

1. The Compton Arms, 4 Compton Avenue, N1 2XD - Review of premises licence

1 - 54

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.

- 1. Confidential/Exempt Items
- 2. The Compton Arms Exempt Appendix

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.

WEBCASTING NOTICE

This meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for 12 months. A copy of it will also be retained in accordance with the Council's data retention policy.

If you participate in the meeting you will be deemed by the Council to have consented to being filmed. By entering the Council Chamber you are also consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured you should sit in the public gallery area, overlooking the Chamber.

In addition, the Council is obliged by law to allow members of the public to take photographs, film, audio-record, and report on the proceedings at public meetings. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

If you have any queries regarding webcasting or the recording of meetings by the public, please contact Democratic Services on <a href="mailto:democratic-

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.
- 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

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.
- 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 2
13) Other representatives mins
14) Licensee 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.



Public Protection/Licensing 222 Upper Street, London N1 1XR

Report of: Director of Public Protection

Meeting of: Licensing Sub-Committee

Date: 12/10/2022

Ward(s): Laycock

Subject:

PREMISES LICENCE REVIEW APPLICATION

Re:

Compton Arms, 4 Compton Avenue, London, N1 2XE.

1. Synopsis

- 1.1. This is an application by Local Residents for a Review of the Premises Licence under Section 51 of the Licensing Act 2003. A copy of the review application is attached as Appendix 1.
- 1.2. The grounds for review is related to the following licensing objectives
 - i) Public Safety; and
 - ii) The prevention of public nuisance.

1.3. Relevant Representations:

Licensing Authority	No
Metropolitan Police	Yes
Noise	Yes
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 5 Residents in support of the application; and 2170 Residents and/or interested parties in support of the licensed premises.
Other bodies	No:

2. Background

2.1. The premises currently holds a licence allowing:

- i) The sale by retail of alcohol, on & off supplies, Mondays to Thursdays from 10:00 until 23:00, Fridays & Saturdays from 10:00 until 00:00 and Sundays from 10:00 until 22:30;
- ii) The playing of recorded music, Mondays to Sundays from 00:00 until 00:00 the following day;
- iii) The provision of late night refreshment, Mondays to Thursdays from 23:00 until 23:30 and Fridays & Saturdays from 23:00 until 00:30 the following day;
- iv) The premises to be open to the public, Mondays to Thursdays from 10:00 until 23:30, Fridays & Saturdays from 10:00 until 00:30 the following day and Sundays from 10:00 until 23:00; and

- v) The following non-standard timings:
 - New year's Eve, until the time authorised the following day; and
 - For the premises to be open until 00:00 for the sale of alcohol on the following dates: World Cup Football, World Cup Rugby, World Cup Cricket, Olympics, Commonwealth Games, Major International Sporting events, Events of Local or National Significance (as appropriate), Special Occasions eg. Weddings.

2.2. Licensing History:

- 3rd August 2005, the premises licence was approved by way of a premises licence conversion and variation application;
- This application was subject to a number of licence conditions based on the associated operating schedule included with the application;
- On reviewing these licence conditions, it has become apparent that a number of these were incorrectly added to the premises licence.
 Please see appendix 7 for investigation and findings;
- It has also come to light that the hours listed on the premises licence for late night refreshment are incorrect and should be as those listed above at 2.1, iii:
- 28th June 2018, Nicholas Stephens became the Designated Premises Supervisor (DPS);
- 19th November 2019, the current licensee Compton Arms Ltd, became the premises licence holder;
- Complaints have been logged on a relatively regular basis since this time;
- 11th September 2021, referral received from the Council's Nightsafe service. Report of significant number of persons outside the premises on an Arsenal FC Home matchday and associated nuisance.
- 17th September 2021, licensing officersvisit to the premises to discuss issues from previous week. Management agreed that nuisance had been caused as a result of the persons outside. Additional and appropriate measures were agreed for upcoming matches as well as for general management of the outside areas of the premises;
- 12th October 2021, Dan Whitton attended a resident meeting at the Compton Arms PH;
- 9th November 2021, Dan Whitton attended a Zoom meeting with two residents, Guy Walker & Paul Watson to discuss their ongoing concerns in relation with the Compton Arms Public House;
- 14th December 2021, Nicholas Stephens, DPS, forwarded a document "Compton House Rules" detailing agreed steps that the premises would take in response to the concerns raised by local residents. This document can be found at Appendix 3 of this report;

- 11th May 2022, efforts commence to arrange meeting with interested parties and licensing to discuss matters further;
- 25th May 2022, meeting with licensee and interested parties goes ahead. Representative from licensing was unable to attend this meeting;
- 27th July 2022, this premises licence review application was received.
 All evidence submitted in support of the application has been made available to the licensee, Responsible Authorities and members of the licensing sub-committee determining this application;
- There was significant social media interest in response to the application. A response to this and its content was submitted by the applicants. This can be found at Appendix 6 of this report;
- During the consultation period an unusually large amount of correspondence was received in response to the review application.
 As a result, the licensing sub-committee meeting originally scheduled to determine the application on 21st September 2022 was adjourned;
- Any representations received that did not include name and address information were deemed invalid. There were 933 representations that fell into this category;
- All representations deemed valid, 2178, have been made available for consideration by the applicants, licensee, Responsible Authorities and the licensing sub-committee. Responsible Authority representations can be found at Appendix 4, remaining representations are exempt from publication as detailed in the agenda.

3. Recommendations

- 3.1. To determine the application to review the premises licence under Section 52 of the Licensing Act.
- 3.2. The Committee must have regard to the application and any relevant representations. The Committee must take such steps as necessary for the promotion of the four licensing objectives.
- 3.3. The steps stated in Sections 52(4) of the Act are as follows:
 - to modify the conditions of the licence; and for this purpose the conditions of the licence are modified if any of them are altered, omitted or any new condition is added;
 - b) to exclude a licensable activity from the scope of the licence;
 - c) to remove the designated premises supervisor;
 - d) to suspend the licence for a period not exceeding three months;
 - e) to revoke the licence;
 - f) the Committee also have the option to leave the licence in its existing state; Page 4

g) the Committee also has the power in relation to steps a) and b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

4. Implications

4.1. Financial Implications

4.1.1. The Head of Finance reports that there is no fee associated with this application type.

4.2. Legal Implications

- 4.2.1. The legal implications are set out in Paragraph 2.
- 4.2.2. Legal advice will be provided at the meeting of the Licensing Sub-Committee as necessary.

4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

4.3.1. The Licensing Sub-Committee need to consider the impacts that that proposals will have on the environment. An impact is defined as any change to the environment, whether positive or negative, wholly or partially resulting from Council activities. Almost all human activity has some impact on the environment, and it is very unlikely that any activity will not have any implications.

4.4. Equalities Impact Assessment

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 4.4.2. An Equalities Impact Assessment is not required in relation to this report, because this is a decision relating to a Premises Licence application under the Licensing Act 2003.

4.5. **Planning implications**

4.5.1. The property is not a listed building but it is located within the Canonbury Conservation Area.

Page 5

- 4.5.2. Planning permission was granted on 7 June 1962 for the rebuilding of the existing public house (TP88903).
- 4.5.3. There are no planning conditions relating to opening times of the premises.
- 4.5.4. A current enquiry regarding the kitchen extractor and chiller unit on the main roof of the property has been received. T he vast majority of the kitchen extractor has existed in excess of 4 years and, as such, would be immune from planning enforcement action. I also confirm that the change to the top of the kitchen extractor has not resulted in a material alteration to the external appearance of the property. On this basis, a planning application would not be required in this instance for this change. As there is not a breach of planning control, no further action is to be taken in this matter. As there are no planning conditions restricting noise levels, any controls on noise emissions would have to be via the Environmental Protection Act.
- 4.5.5. With regard to the chiller on the roof, this matter was investigated in August 2018. At this time the unit was on a lower roof to the main roof. Due to its limited visibility in the public realm, it was concluded it was not a material alteration to the external appearance of the property and planning permission was not required. However, it would appear that it has been relocated to the main roof of the property. In this new location it could be argued that the new location requires planning permission.

5. Conclusion and reasons for recommendations

5.1. That the Licensing Sub-Committee determines this application.

Appendices:

Appendix 1: application form;

Appendix 2: premises licence and layout plan;

Appendix 3: Compton House Rules;

Appendix 4: Responsibility Authority representations;

Appendix 5: applicant response to Responsible Authority representations;

Appendix 6: applicant response to social media interest in the application;

Appendix 7: premises licence conditions investigation and findings;

Appendix 8: suggested conditions and map of premises location.

Background papers:

• None.

Final report clearance:

Signed by:

Service Director Public Protection and Regulatory Services

tue abbans

Date: 04/10/2022

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: <u>licensing@islington.gov.uk</u>

London Borough of Islington

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Dr Hannah Flinders, Applicant and Agent for others.					
(Insert name of applicant)					
apply for the review of a premises licence under premises certificate under section 87 of the Licence under section 87.					
Part 1 below (delete as applicable)	ensing feet 2005 for the premises described in				
Part 1 – Premises or club premises details					
Postal address of premises or, if none, ordnance survey map reference or description					
The Compton Arms					
4 Compton Avenue					
Post town London	Post code (if known) N1 2XD				
	, ,				
Name of premises licence holder or club holding	ng club premises certificate (if known)				
Compton Arms Ltd	-g ()				
259 London Road					
Chippenham					
SN15 3AR					
Number of premises licence or club premises c	ertificate (if known)				
LN/4742-191119					
Part 2 - Applicant details					
1 art 2 - Applicant uctans					
I am					
Please tick ✓ yes					
1) an individual, body or business which is not a	recoonsible				
authority (please read guidance note 1, and compl	•				
or (B) below)	()				
2) a responsible authority (please complete (C) be	elow)				
3) a member of the club to which this application relates (please complete (A) below)					
(picase complete (A) below)					

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable) Please tick ✓ yes ✓ Mrs Mr Miss Ms Other title (for example, Rev) Surname First names Flinders Hannah Please tick ✓ yes ✓ 🗌 I am 18 years old or over **Current postal** address if different from premises address Post Code Post town Daytime contact telephone number E-mail address (optional) (B) DETAILS OF OTHER APPLICANTS Name and address Paul Watson **Darius Armstrong James** Guy Walker Gina Veevaert Telephone number (if any) Paul Watson **Darius Armstrong James** Guy Walker Gina Veevaert E-mail address (optional) Paul Watson **Darius Armstrong James** Guy Walker Gina Veeveart

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address	
N/A	
Telephone number (if any)	
N/A	
E-mail address (optional)	
N/A	
17/21	
T	
This application to review relates to the following	ng licensing objective(s)
	Please tick one or more boxes ✓
1) the prevention of crime and disorder	
2) public safety	□ ✓
3) the prevention of public nuisance	✓
4) the protection of children from harm	

Please state the ground(s) for review (please read guidance note 2)
Application for a Review of Licence for The Compton Arms ("the Pub")
Grounds for the Review

1. Reference to the Licensing Act 2003

- a. With reference to The Licensing Act 2003 we are applying for the review on the basis of <u>public nuisance</u> due to excessive noise, and to a lesser extent <u>public safety</u> when residents address outside drinkers for intrusion on their property and hostility is the response.
- b. In addition to the point in a. above, outside drinking blocks the public highway forcing pedestrians which include children the elderly and disabled persons to move into the road. This increases the risk to them.
- c. I and the persons I represent are all residents close to or adjoining the Pub.
- d. The designated premises supervisor is Nicholas Patrick Stephens who is the sole Director and a significant shareholder (50%) of the Compton Arms Limited which holds the Premises Licence. For the purposes of this application he is in sole control of the actions of the Licensee and is referred to in this application as the "Licensee".

2. What we Seek

- a. This application is not vexatious nor repetitive.
- b. We are not seeking changes that would penalize the Licensee nor stop him from making a living, but wish to return to the quiet enjoyment of our residential area which was present for over 40 years before the current Licensee took control of the Pub
- **c.** It is important to state that the Pub has been an asset to the community for many years.

3. Noise Nuisance Sources

- a. Doors and windows, both to the rear and the front of the premises
- b. The noise of public highway drinking by customers and from inside the Pub by way of open doors and windows to the front of the premises
- c. The noise of customers in the garden and the noise emanating from inside the pub by virtue of open doors and windows.
- d. During operating hours, the Pub intentionally leaves the doors and certain windows open at the front and the rear of the property. This has the effect of causing noise nuisance from the inside of the Pub and exacerbating those who are drinking at the front of the property and the rear yard meaning they have to talk louder to be heard.
- e. In both the front and rear of the Pub the Licensing hours are such that these nuisances continue late into the night.
- f. Excessively noisy extraction equipment to the rear and air conditional compressors on the roof which have the effects of exacerbating the customer noise as they need to talk louder to be heard.

4. Extent of Noise Pollution

a. Ambient noise levels are low with readings when construction is not taking

place of between 25dba and 38dba dependent on the time of day.

- b. Evidence submitted as a response to Notes for Guidance 3, gives readings of over 60dba well into the night from the rear of the premises. This is as measured from neighbouring properties.
- c. The noise both from the rear and the front of the Pub described in 3. b.& c. above is a significant nuisance.
- d. The extraction and air conditioning equipment produce over 50dba in isolation. The customers, who are closer have to raise their voices to be heard.
- e. Please note that residents were cognisant of the issues for the Pub during the Covid pandemic and sought to be more patient in response to the nuisances identified and thus did not make as many ASB complaints during this period as might possibly have been made.
- f. Evidence of 61 ASB notifications during the period 5 September 2019 to 17 November 2021 is listed in the DropBox evidence web site in the folder "Public". This information was obtained under a Freedom of Information request when we were told that the Licensing department was aware of only 3 ASB complaints.

5. Public Safety and Amenity

- a. When there is public highway drinking to the front of the Pub staff nor management adequately clean up after their customers, especially when they use neighbour's steps as seats.
- b. There is inadequate moderating influence on the drinkers to not use neighbours steps as seats leading to aggression when asked to move from resident's property.
- c. The pavement is the only one on the road at that point in front of the pub and with outside drinkers it is impossible not to block it. This increases risk for pedestrians, children, elderly and any disabled people who instead have to use the road.

6. Date When this Became Apparent

a. Mid 2018. From a small number of weeks after the current Licensee took over the License and has been ongoing since then.

7. Reference to Evidence of Nuisance

a. Evidence in the form of documents, images and videos are included in a DropBox website. Guidance and notes for use are included in the Section following this one, in accordance with Guidance note 3 to this Application Form.

8. Response of the Management

a. Many discussions have taken place with the Licensee and whilst he seems outwardly understanding and receptive to our concerns, any promises have not been followed through in practice. In short, our concerns are forgotten or ignored adding to the frustration for residents.

- b. There has been email correspondence with the Licensee (started December 2021) where a set of 'house rules' were attempted. The Licensee made suggestions and the residents responded (Feb 2022, due to Covid outbreak amongst residents) with their suggestions and we have not heard back from the Licensee. We last requested an update by email on the proposed house rules in May 2022.
- c. In addition there was a face-to-face meeting from the Licensee on the 25th of May 2022 where again we were promised changes and nothing has materialised to date.
- d. The frequency of the meetings and frustration gave us no alternative to this application after a meeting with the Licensing Officer for the Pub, Mr Daniel Whitton, to seek his advice.
- e. Evidence of this process and communication are included in the DropBox evidence "Conciliatory Process and WhatsApp Chat"

9. The Location of The Pub

- a. The Pub is entirely surrounded by private residences and the ambient noise, bar the occasional siren or loud motorcycle, is very low.
- b. Young families with small children occupy many of these residences with bedrooms located facing the street.
- c. A family with young children renting 5B Compton Avenue has surrendered their lease due in a large part due to noise nuisance from the Pub. They will submit a letter to this end as part of the consultation process.

10. The Current Licence & Legislation

- We are referring to the full document being Licence Number LN/4742-191119.
- b. The hours of opening appear consistent with other Licensed Premises in Islington, however the proximity of residences to the Pub is much less than the majority of other pubs.
- c. The Pub does not have a Pavement Licence due to the narrow single pavement.
- d. The Pub does have an off-sales Licence
- e. The Business and Planning Act 2020 Part 1 Clause 11 allows the temporary off-sales to persons not in closed containers for consumption on the public highway. This provision is temporary until September 30th 2022 however a condition or change arising from a review of the licence after the date of the Act are binding notwithstanding the provisions of the Act above.
- f. The back yard has the same licensing terms as the interior of the Pub and is not differentiated by being outdoors.
- g. The Licensee has voluntarily cleared the back yard by 10 pm which is one hour before the licence states.
- h. Customers regularly block the public highway outside the front of the pub. This increases the risk to pedestrians.

- i. Licence Annex 2 Condition 18 states "Air conditioning shall be installed and maintained on the premises"
- j. Licence Annex 2 Condition 19 states "Acoustic lobbies shall be provided on all exit/entrance ways"
- k. The conditions in i. and j. above were added for a reason, be it longer opening hours or some requested activity and seem wholly intended to protect the residential environment from noise nuisance.
- I. Licence Annex 2 Condition 22 states "Regular patrols shall be carried out to remove litter connected with the premises"
- m. The premises has a Live Music Licence although apart from a small jazz combo in the early 2000's as far as we are aware no live music has ever been performed.
- n. However s177A of the Licensing Act 2003 as amended by the Live Music Act 2012 specifies that conditions related to live music shall not have effect unless those conditions are specifically worded so as to exclude such an exemption. The determination of what conditions pertain to live music is vague.
- o. Taking the Licence in its entirety, it is evident that the Conditions were a reflection of the location of the pub in a residential area and sought to restrict noise nuisance for the surrounding residents.

11. Breach of Licence Conditions of The Pub

- a. The licence conditions <u>are being breached</u> causing excessive noise nuisance, blocking of the highway and infractions onto the property of houses opposite the pub. It also creates litter which remains uncollected and a health risk.
- b. Licence Annex 2 Condition 19. There are <u>no acoustic lobbies</u> on any of the doors of the Pub. The Licensing Officer for the Pub informed he has told the Pub to keep it's doors closed. They are kept open as are windows, therefore compounding the breach. The condition is being broken and as described above a noise nuisance is being created on an ongoing basis exacerbated by not keeping the doors closed.
- c. Licence Annex 2 Condition 18. There is no air conditioning for the interior of the pub. The only air conditioning is to the cellar.
- d. Licence Annex 2 Condition 22. The staff and management are not making regular patrols and litter connected to the premises is not removed. Outdoor drinkers on Compton Avenue leave litter which is not cleared, and the Pub's own litter on Hyde's Place is not removed and stored in the existing waste receptacles prior to collection.
- e. DropBox evidence "Bins" contains images and video of these bins which are at times a disgraceful state and a hazard to health.
- f. Any off-sales the pub makes are consumed just outside the premises on the public highway which is then blocked. This means that pedestrians including children, elderly and disabled people have to walk into the road which is an unnecessary increase in risk for them. This also generates high levels of noise nuisance.
- g. The lack of a Pavement Licence and therefore permission to have furniture on the street is effectively negated by customers using the steps of the

neighbouring properties as seats.

12. What we Request

- a. Licence Annex 2 Condition 19. The Pub should fit acoustic lobbies and comply with the condition. Additionally, the practice of leaving the doors open during the hours of business means that there is non-compliance but also a further aggravation of the effects of that non-compliance. A further condition should be that the windows and doors are kept closed.
- Air conditioning would be needed for point a. above so this should be fitted; a
 fact recognised in the existing Licence Condition 18 which is not being
 complied with.
- c. For the avoidance of doubt we request that all conditions are made specifically enforceable by referencing their exclusion for any exemption under S177A (3) of the Licensing Act within the Licence, ending any tenuous reliance on this to relate such to live music.
- d. Given the tenuous connection in point c, above we request the removal of the permission for the performance of live music from the Licence. This would avoid any doubt and will have little effect on the pub.
- e. Music apart from background music, should not be allowed in the Pub. It is currently played loud and increases the noises by customers having to raise their voices to be heard.
- f. We request that the off-sales licence be removed. Off-sales for drinking outside the pub, which tends to be on the public highway causing noise, nuisance, infractions onto neighbouring property and blocking of the pavement and road leads to higher risks for pedestrians and motorists. The likely true off-sales for consumption away from the premises is small due to the pricing policy of the Pub, so the licence should be removed. Customers can still go outside to smoke but should leave their drinks inside. Alternatively they can go to the back yard for outside drinking and smoking. This would resolve the blocking of the public highway and in conjunction with points a,b,c, & d above would reduce the noise and property infraction.
- g. To the extent that customers are drinking outside the Pub in their back yard, then this should continue if counted as off-sales, but such to the front should not.
- h. We respect the important tradition of Arsenal FC home matches, Morris Dancing and we would propose that point f. above be relaxed for such specific events. For the avoidance of doubt, Arsenal FC means the Premier League team rather than all Arsenal teams and the Morris Dancing should not be a regular fixture but only as and when travelling dancers visit the Pub once a year, as part of historic tradition.
- i. The inclusion of a new Condition being the provision a security person as defined by S21 Licensing Act 2003, monitors the rear outside area to control levels of noise and behaviour not suitable in a residential area.
- j. The security person will not be required at all time, but only when the Pub is busy such as after 7pm on Thursdays and Fridays and from midday on weekends.
- k. Regarding the back yard of the Pub, we request this should be closed by 8 pm every night.
- I. We do not request changes to the hours for which the pub is allowed to serve

- alcohol as the requests above are such that noise should be contained in a manner reflecting the spirit of the existing Licence.
- m. There are very noisy air extraction and air conditioning units operating at the pub facing to the rear. There is no record of any planning consent that is required. This has only started to be used once the new Licensee began operating. They had been in place before he took the Licence, but not used. The excessive noise of the equipment means customers in the back yard have to speak louder exacerbating the noise nuisance to the rear. To reduce the noise from the rear of the pub there should be suitable acoustic shielding in place and/or approved measures to reduce the fan noise.
- n. We request that there be no playing of recorded music, from within the pub or the kitchens into the back yard or the front and side or through open windows from any aspect of the Pub.

13. Compliance

- a. Compliance is of concern. The Licensing Officer has a huge number of premises to cover and cannot be expected to follow up all non-compliance.
- b. We were informed that the Licensing Officer suggested to the Licensee that he keeps the windows and doors closed. Recently the front door has been closed but the rear door to the garden isn't and a window to the front is left open allowing noise to escape. This all arises from non-compliance
- c. As residents we are powerless to enforce any Licence and must rely of the Council to ensure the Licensees' diligence in operating responsibly and in accordance with the Licence. We have undergone substantial disturbance and nuisance over the past 4 years barring the punctuated peace during the Covid pandemic.
- d. The period of this review, the time for a response and the possible appeal means it could be another 10-11 months before this matter is finally determined, all the while the disturbance and nuisance will continue.
- e. We would request that the Licensing Department and the Council use the maximum means at their disposal including means conferred by the Licensing Act 2003 and the Anti-social Behaviour, Crime and Policing Act 2014 to ensure the compliance and continuing compliance with the existing terms of the Licence to bring a much needed relief, but on a much shorter timescale.

14. Conclusion

- a. Noise pollution is highly emotive especially if the victims feel powerless to effect a change. Already an exasperated complaint about Annex 2 Condition 19 requesting that the rear doors be at least closed was met with threatening behaviour by staff of the Pub that necessitated a Police visit to the victim. Video Evidence of this is available on DropBox. In addition aggressive customers from outside the area have made incursions onto the property of residents of Compton Avenue often refusing to move when asked.
- b. The noise nuisance is just too loud and persistent due to the aggravated noncompliance with significant conditions of the Licence. The outside of the Pub is also appears to be poorly managed.
- c. We have all taken part in an extensive collaborative process to resolve theses issues with the Licensee. He is reasonable in all conversations but little changes and the noise nuisance, outside drinking, property incursions

and litter persist.

- d. It is sad that this collaborative approach did not work but as residents we felt it was not making any progress.
- e. The applicants accept that when assessing their home purchase they looked at the pub, its Licence and the operating policy. There were few complaints at all until the current Licensee started operating the Pub. By the same token of due diligence the Licensee should accept and recognize that he took on the lease and operates a pub in a solely residential area,
- f. We value the benefits a responsibly run pub brings to the wider neighborhood and borough and do not want to lose it. We do however want peaceful coexistence and ability to enjoy our homes in safely and peacefully, as is our human right.
- g. All applicants appreciate Islington Councils' own Licensing Policy which notes the Borough is at saturation point for such venues and hope that this is considered especially in relation to such a residential street.
- h. In this application we have made reasonable requests for enormous gains in resident utility with insignificant loss to the Licensee involving in most cases merely complying with existing legally enforceable conditions of the Licence which originally captured the spirit of the Pub.

Please provide as much information as possible to support the application (please read guidance note 3)

- 1. Because of the scale of the evidence this is being provided by use of a web based file-sharing system called DropBox.
- 2. The URL for the service is https://www.dropbox.com/home
- 3. Invitations by email are required to access this evidence. By virtue of receiving this application form by email, you will receive permission to view the documents and media files using that email.
- 4. DropBox is divided into folders being:
 - a. Bins: showing images throughout the current Licensees tenure of the state of the bins and outside of the Pub.
 - b. Conciliatory Process and WhatsApp Chat. These document relate the process the residents have been through with the Licensee including exchanges on a WhatsApp group set up especially for communications.
 - c. Extraction Equipment. Video files of only the extraction equipment with a noise meter in the shot for an indication of the noise. When both are on the noise is above 50 dba
 - d. Metadata LookUp. When transferring media files to DropBox the metadata which details the date time and location the media was recorded and would normally be embedded within the file, is removed. The file names however remain the same. The lookup sheet gives the true metadata by file name which can be corroborated should this be required by viewing the original files.
 - e. Photo's. Still images of the congregation of people, the blocking of the highway and other aspects referred to in the Grounds for Review.
 - f. Videos. These are videos taken over the time since the current Licensee took over the lease showing in many cases a recorded noise meter. One video showing the threatening behaviour by a member of the Pub staff to a resident after they complained about the noise and breach of the Licence conditions is already in the public domain after being posted on YouTube.
 - g. Public: This contains as listing of the ASB complaints received by The London Borough of Islington form May 2019 to mid November 2021. These were obtained by a request under the Freedom of Information Act. A further request made on 21st June 2022 for ASB complaints from mid November 2021 to the current time has been acknowledged but no response has been provided yet.

	Please tick ✓
yes Have you made an application for review relating to the premises before	
If yes please state the date of that application	Day Month Year
If you have made representations before relating to the prenand when you made them	nises please state what they were
N/A	

yes	Please tic	:k ✓
•	I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate	√
•	I understand that if I do not comply with the above requirements my application will be rejected	•
STANI	AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON DARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO B SE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION	
Part 3	- Signatures (please read guidance note 4)	

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature		
Date	26 th July 2022	
Capacity	Applicant & Agent for Applicants V	/atson, Armstrong James, Walker, Veevaert
	me (where not previously given) an with this application (please read gu	d postal address for correspondence idance note 6)
Post town		Post Code
Telephone	number (if any)	
-	uld prefer us to correspond wit ress (optional)	th you using an e-mail address your e-

Notes for Guidance

- 1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
- 2. The ground(s) for review must be based on one of the licensing objectives.
- 3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 4. The application form must be signed.
- 5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 6. This is the address which we shall use to correspond with you about this application.

PREMISES LICENCE LICENSING ACT 2003



Premises licence number	LN/4742-191119
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Date of original grant* 24 November 2005

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

COMPTON ARMS 4 COMPTON AVENUE

Post town	London	Post code	N1 2XD
Telephone numb	er 020 7359 68	83	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence Ground Floor

- The provision of regulated entertainment by way of: The performance of live music
- The provision of late night refreshment
- The sale by retail of alcohol

 The provision 	of regulat	ed ent	ertainmen	for the playing of recorded music:		
Monday	00.00	to	24.00	the following day		
Tuesday	00.00	to	24.00	the following day		
Wednesday	00.00	to	24.00	the following day		
Thursday	00.00	to	24.00	the following day		
Friday	00.00	to	24.00	the following day		
Saturday	00.00	to	24.00	the following day		
Sunday	00.00	to	24.00	the following day		
The provision of late night refreshment:						
		to	00.30	the following day		
Monday	23.00		~~.~~	the following day		
Monday Tuesday	23.00 23.00	to	00.30	the following day		
•				~ .		
Tuesday	23.00	to	00.30	the following day		
Tuesday Wednesday Thursday	23.00 23.00	to to	00.30 00.30	the following day the following day the following day		
Tuesday Wednesday	23.00 23.00 23.00	to to to	00.30 00.30 00.30	the following day the following day		

^{*}An annual fee associated with this licence is to be paid on the anniversary of the original grant date.

The sale by retail of alcohol:

Monday	10.00	to	23.00	
Tuesday	10.00	to	23.00	
Wednesday	10.00	to	23.00	
Thursday	10.00	to	23.00	
Friday	10.00	to	00.00	the following day
Saturday	10.00	to	00.00	the following day
Sunday	10.00	to	22.30	g ,

Except on:

New Year's Eve until the time authorised on the following day.

Non standard timings:

Allow for the premises to be open until 00.00 for the sale of alcohol on the following dates: World Cup Football, World Cup Rugby, World Cup Cricket, Olympics, Commonwealth Games, Major International Sporting events, Events of Local or National Significance (as appropriate), Special Occasions eg. Weddings.

The opening hours of the premises:

Monday	10.00	to	23.30	
Tuesday	10.00	to	23.30	
Wednesday	10.00	to	23.30	
Thursday	10.00	to	23.30	1
Friday	10.00	to	00.30	the following day
Saturday	10.00	to	00.30	the following day
Sunday	10.00	to	23.00	The second secon

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

On and off supplies

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

Compton Arms Ltd 259 London Road Chippenham SN15 3AR

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

11400567

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

Nicholas Patrick Stephens

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

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

T: 020 7527 3031

E: licensing@islington.gov.uk

Service Manager (Commercial)

6/12/19

Date of Issue



Annex 1 - Mandatory conditions

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

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

Annex 2 - Conditions consistent with the Operating Schedule

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

- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
- 4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virute of the enactments hereinafter set out:

Children and Young Persons Act 1933

Cinematograph (Safety) Regulations 1955

Sporting Events (Control of Alcohol Etc) Act 1985

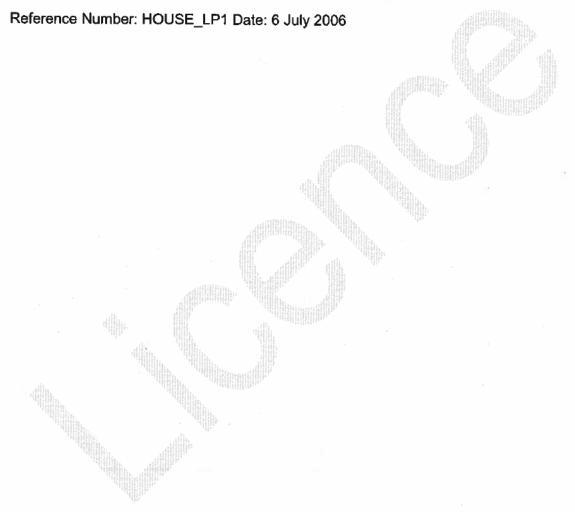
- All staff shall be trained regularly on licensing provisions.
- All staff shall receive drug awareness training.
- There shall be no promotions that encourage illegal, irresponsible or immoderate consumption of alcohol.
- 8. The licensee shall put arrangements in place to ensure that when staff are dealing with young people they ask for valid proof of age e.g. Portman Proof of Age card, National Passport or Photo Drivers Licence before selling alcohol to them.
- The manager shall actively participate in and support the local Pubwatch scheme.
- 10. CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer with 24 hours of any request.
- Toughened glass shall be used throughout the premises.
- Litter bins shall be provided.
- Security lighting shall be installed and maintained outside the premises.
- Documented management risk assessments shall be carried out on at least a weekly basis.
- Staff levels shall be maintained at levels adequate to secure public safety.
- All safety equipment shall be regularly tested and current safety test certificates shall be kept on the premises for inspection by authorised officers.
- 17. Staff shall regularly patrol the premises, including outside delivery areas, and beyond permitted hours to ensure that patrons leave the area quietly and in an orderly manner.
- Air conditioning shall be installed and maintained on the premises.
- Acoustic lobbies shall be provided on all exit/entrance ways.
- A dedicated licensed taxi/mini cab service shall be available within the premises for customers.

- 21. Details of locally available public transport shall be displayed on the premises.
- 22. Regular patrols shall be carried out to remove litter connected with the premises.
- 23. A system of ventilation shall be installed and maintained on the premises to prevent nuisance from odour emanating from the premises.
- 24. Children shall only be permitted on the premises between 08.00 and 19.00, 21.00 in the restaurant area.
- No children shall be permitted on the premises while regulated entertainment is taking place.

Annex 3 - Conditions attached after a hearing by the licensing authority None

NOTIO

Annex 4 - Plans



Premises Licence Summary ISLINGTON

Licensing Act 2003

Premises licence number	LN/4742-191119		Date of original grant*	24 November 2005
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*An annual fee associated with this licence is to be paid on the anniversary of the original grant date.

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

COMPTON ARMS 4 COMPTON AVENUE

Post town	Lond	on	Post code	N1 2XD
Telephone numb	er	020 7359 6883		

Where the licence is time limited the dates Not Applicable

Licensable activities authorised by the licence **Ground Floor**

- The provision of regulated entertainment by way of: The performance of live music
- The provision of late night refreshment
- The sale by retail of alcohol

				g out of licensable activities t for the playing of recorded music:
·	•			
Monday	00.00	to	24.00	the following day
Tuesday	00.00	to	24.00	the following day
Wednesday	00.00	to	24.00	the following day
Thursday	00.00	to	24.00	the following day
Friday	00.00	to	24.00	the following day
Saturday	00.00	to	24.00	the following day
Sunday	00.00	to	24.00	the following day
The provision	of late nig	ght refi	reshment:	
Monday	23.00	to	00.30	the following day
Tuesday	23.00	to	00.30	the following day
Wednesday	23.00	to	00.30	the following day
Thursday	23.00	to	00.30	the following day
Friday	23.00	to	00.30	the following day
Saturday	23.00	to	00.30	the following day

•	The	sale	bν	retail	of	alcohol:
			~ ,		\sim	GIOCHICI,

Monday	10.00	to	23.00	
Tuesday	10.00	to	23.00	
Wednesday	10.00	to	23.00	
Thursday	10.00	to	23.00	
Friday	10.00	to	00.00	the following day
Saturday	10.00	to	00.00	the following day
Sunday	10.00	to	22.30	,,

Except on:

New Year's Eve until the time authorised on the following day.

Non standard timings:

Allow for the premises to be open until 00.00 for the sale of alcohol on the following dates: World Cup Football, World Cup Rugby, World Cup Cricket, Olympics, Commonwealth Games, Major International Sporting events, Events of Local or National Significance (as appropriate), Special Occasions eg. Weddings.

The opening hours of the premises:

Monday	10.00	to	23.30	
Tuesday	10.00	to	23.30	
Wednesday	10.00	to	23.30	
Thursday	10.00	to	23.30	
Friday	10.00	to	00.30	the following day
Saturday	10.00	to	00.30	the following day
Sunday	10.00	to	23.00	4

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

On and off supplies

Name, (registered) address of holder of premises licence

Compton Arms Ltd 259 London Road

Chippenham

SN15 3AR

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

11400567

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

Nicholas Patrick Stephens

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

No person under the age of 14 years shall be in the bar of the premises during the hours that the premises is authorised to sell alcohol subject to condition 2 of annex 2 of this licence. Children shall only be permitted on the premises between 08.00 and 19.00, 21.00 in the

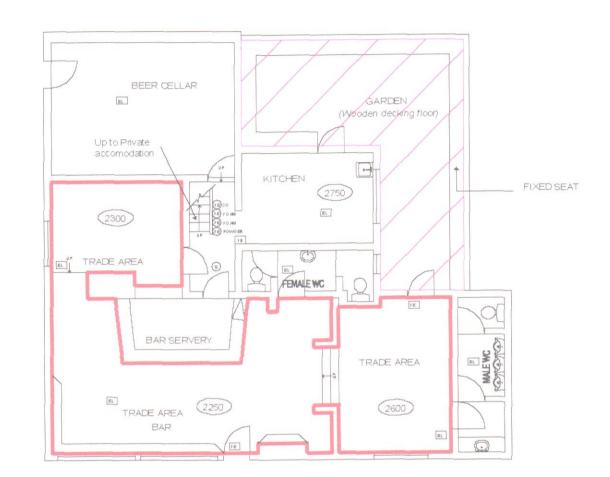
No children shall be permitted on the premises while regulated entertainment is taking place. It is an offence to allow persons under the age of 16 years to be on the premises whilst it is open exclusively or primarily for the supply of alcohol for consumption on the premises unless they are accompanied by a person aged 18 or over. No unaccompanied person under the age of 16 years shall be permitted on the premises between 12 midnight and 5am if alcohol is supplied for consumption on the premises.

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

T: 020 7527 3031

E: licensing@islington.gov.uk





SCALE 1:100 GROUND FLOOR

LOCATED IN CELLAR

GROSS INTERNAL AREA (SQM)	116.3
INTERNAL GROSS DRINKING AREA (SQM)	50.5
EXTERNAL GROSS DRINKING AREA (SQM)	27.6

SCHEDULE OF ADDITIONAL ACCOMMODATION:

 Number of storeys of building. 2: Staff accommodation.

6 BEDROOMED

BASEMENT CELLAR GROUND FLOOR: TRADING FLOOR FIRST FLOOR 3 bedrooms, 1 living room 1 kitchen and 1 bath

SECOND FLOOR 3 bedrooms, 1 living room 1 kitchen and 1 WC NO CAR PARKING

PRIVATE REAR YARD NO EXTERNAL DRINKING AREA NUMBER OF LETTING ROOMS = 0 LEGEND

(2600) CEILING HEIGHT WINDOW

FIRE PLACE

Q TOILET

URINAL WASH HAND BASIN

BOILER

FIRE EXIT

EMERGENCY LIGHT DISTRIBUTION BOARD

FIRE ALARM CALL POINT

→ BELL SOUNDER

SMOKE DETECTOR

 HEAT DETECTOR FIRE BLANKET

⊕∞₂ FIRE EXTINGUISHER CO

⊕ 10.8M FIRE EXTINGUISHER FOAM

® WATER FIRE EXTINGUISHER WATER

(1) POWDER FIRE EXTINGUISHER POWDER

* SPRINKLER OUTLETS

DRY RISER

WET RISER

STEPS

SINK UNIT

AMUSEMENT WITH PRIZES

BAR FLAP

2 SEATER TABLE

4 SEATER TABLE

6 SEATER TABLE 8 SEATER TABLE

BAR STOOL

Beer Garden

INDICATIVE ONLY SCALE 1:1250

Project COMPTON ARMS ISLINGTON Drawing Title LICENCE AREA SURVEY Gross Internal Area (M 2) Licensable Activity Area (M ²)

GREENE KING PUB PARTNERS

Greene King Pub Partners

Abbot House Westgate Street Bury St.Edmunds Suffolk IP33 1QT

Phone: 01284 763222

Fax: 01284 706502

URL: www.greenekingpubs.co.uk

All dimensions to be checked on site prior to commencement of works. Details Of Amendment GDA LINEWEIGHT INCREASED & AREA BLOCK CREATED CAD Drawing No. Date Surveyed DATE 0 1:100 HOUSENO_LP1

Compton House Rules

Keeping the front door closed.

In light of the issue of fresh air circulation (and overheating) we will need to retain the option of keeping the window open at the front)

9pm closing of outside the front.

The license doesn't have a closing time on people out the front but we appreciate that you have residences very close, so we will close outside drinking at 9pm.

People will occasionally pop outside to use the phone (reception is terrible in the Compton) or have a cigarette which is difficult to entirely stop - but they will be encouraged to use the garden.

N.B there will be a managed exit from the premises at 11-11.30 during the week as this is drinking up time Sunday to Thursday and 12-12.30 on Friday and Saturday.

We appreciate that this can be a noisy time and we will continue to manage noise levels as best we can while people filter out and home.

Door person. - Unless we are struck down by staff absences we always have a door person (bar Tuesdays) to greet and seat bookings. This person takes on the responsibility of monitoring door 'activity' (opening & closing), people outside - and the unauthorised use of the residential steps of your property opposite.

Garden closing at 10pm

We close the gardens an hour before our license (11) at 10pm because we understand that later than that is disruptive. Occasionally it may run 15 over with customer situations. But we plan as much as possible (we have blocked late online bookings that overrun to this time) to prevent this.

Garden door

We will try and keep this closed as much as possible because of the human noise leakage. However, it is the only route available to customers entering and leaving the garden - and to us running food & drink and collecting crockery.

Garden for food

We have designated the garden for food bookings only to keep the numbers (therefore noise) down. This lessens vertical drinking and bodies in the area that will further disturb.

Kitchen Music

Previously we have had music playing from the kitchen to the garden - that has been greatly reduced with the change of kitchen.

Matchdays

We will always have the same doorman (where physically possible) for continuity purposes. Jasper (the doorman) is fully trained on what is allowed on match days.

* Home fans * use of pavement * clearing the area * non use of Hydes place & 'the steps' quiet dispersal.

Whattsapp

I am happy to set up a mgmt whatsapp for noise / open communication with the managers and Nick. This will help us stay alert to anyone we have missed shouting outside & better general & civil communication between all parties.

Rep 1

Re: Compton Arms.

Our Ref: 203213/18082022/01

Date: 22nd Aug 22



Premises Licence Review Application.

Compton Arms,

4 Compton Avenue,

Islington,

N1 2XE.

[Contact L/A: Daniel.Whitton@islington.gov.uk]

Dear Sir/Madam

Please accept this Police Representation.

Police are in receipt of a Resident-Instigated Premises Licence Review Application for the above venue. Premises Licence no: LN4742-191119.

As you know, in such instances it is incumbent on The Police, as Responsible Authority, to look into any aspects of interest/responsibility and enter representations where appropriate.

In this instance, following interrogation of police indices and records, and having looked at the licence in question, Police have two observations and recommendations to submit to members.

1.

As part of the evidence entered in the review package, the applicants have provided several pieces of CCTV footage. It has been brought to police attention that some of this footage originates from a video/audio camera installed on the venue in question.

It is alleged that this camera was installed without the knowledge of (or permission from), the owner/freeholder. The circumstances around this are as yet unconfirmed.

Police have, following contact from both the Venue Manager/DPS, and his acting agent, advised that the matter may constitute an offence under the GDPR Legislation (Data Protection Act 2018), and as such should be reported to the relevant authority, The Information Comissioners Office, at the earliest opportunity. I understand that the Licensing Authority have issued similar guidance.

Until such time as the legality of the camera installation (and any footage obtained, stored, or disseminated from it), has been determined, police recommend that the Licensing Authority take legal advice on the matter.

2.

In reviewing the current licence, Police have found the schedule to be aged and in need of update and improvement. Some conditions appear unfit for purpose and not appropriate to the venue and operation in question.

The licence may justify broader changes beyond those outlined, but The Polices recommendations in this regard are limited only to aspects inviting input around crime and disorder.

Proposed amendments to the annex 2 schedule are put forward to bring the licence up to date, better reflect the current operation, and promote the licensing objectives, to the benefit of both the venue and the local community.

Police invite members to consider the below:

Remove condition 5 and replace with:

All staff members engaged in selling alcohol on the premises shall, upon induction and every 12 months thereafter, receive training pertinent to the Licensing Act. All such training shall be fully documented, signed by the employee, and kept at the premises for inspection by Police or other authorised officers.

Training shall include, but not be limited to:

- The premises age verification policy
- Dealing with refusal of sales
- Identifying attempts by intoxicated persons to purchase alcohol Identifying signs of intoxication

The premises shall operate the Challenge 25 proof of age scheme, where the only forms of acceptable identification shall be:

Photographic Driving Licence / Passport / Military (or UK Services) Photo ID / PASS Hologram ID

Remove condition 10 and replace with:

CCTV shall be installed, operated and maintained at all times that the premises is open for licensable activities, so as to comply with the following criteria;

- The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and time of the person checking, shall be kept and made available to police or authorised council officers on request
- The police must be informed if the system will not be operating for longer than one day of business for any reason
- One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering
- The system will provide coverage of any exterior part of the premises accessible to the public
- The system shall record in real time and recordings will be date and time stamped
- Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to police or authorised council officers on request, (subject to the Data Protection Act 1998) within 24 hours of any request, and
- At all times the premises are open for licensable activity, there will be a person on the premises who can operate the system sufficiently to allow police or authorised council officers to view footage on request.

Add:

There shall be at least 1 personal licence holder on duty on the premises at all times when open for licensable activities.

Add:

The premises licence holder shall make all reasonable endeavours to eliminate any anti-social behaviour or nuisance arising out of its licensable activities, and undertake to work with the Police and Local Authority where any such issues are identified.

Add:

Clear and prominent signage will be displayed at the premises highlighting:

(a) CCTV in operation.

(b) Challenge 25 Proof of Age Scheme in operation.

(c) Residential Area: Please be respectful of our neighbours and leave quietly.

(d) Current contact telephone number for the DPS and/or manager on duty.

Add:

An incident log shall be maintained at the premises, and made available to the Police or any authorised officer upon request. All entries will include time/date/name of person making entry. Said log will record the following;

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received concerning crime and disorder

(d) any incidents of disorder either in or directly outside the venue

(e) all seizures of drugs or offensive weapons

(f) any faults in the CCTV system

(g) any visit by a relevant authority or emergency service.

(h) any refusal of alcohol sales

Add:

On all dates when Arsenal Football Club, are playing at home (accepted as being when the male 1st team is playing at the Emirates Stadium), the following will apply:

(a) There shall be no sales of beer, lager or cider in glass containers during the period commencing 2 hours before kick-off and ending 1 hour after the game finishes.

(b) The management shall immediately cease all alcohol sales if requested to do so by a police officer.

Add:

In the event that any assault or serious crime 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 without delay;
- (b) All safe and practicable steps are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police.

Add: The licensee shall train and instruct the management and staff to prevent the admission of, and ensure the immediate and orderly departure of:

- (a) any and all persons who appear to be drunk and/or disorderly
- (b) any and all persons displaying signs of other substance abuse.

Representation respectfully submitted for members consideration.

PC Adam Peace Licensing Officer

Islington Police Licensing Team 3rd Floor Civic Centre 222 Upper St, Islington, N1.





Whitton, Daniel

From: Santis, Fanos

Sent: 17 August 2022 11:52

To: Whitton, Daniel; Lane, Terrie;

Subject: Compton Arms, 4 Compton Avenue N1, Review of Premises Licence

Dear all,

Following the Review of the Premises licence, The Environmental Pollution, Policy and Projects Team, one of the Responsible Authorities as defined by the Licensing Act 2003, makes the following representation in connection with the review:

The Compton Arms, 4 Compton Avenue, N1, is situated near the centre of Compton Avenue on the east side of the Avenue, on the corner of Hyde Place and Compton Avenue. Compton Avenue is located between Canonbury Road on the north side and Canonbury Lane on the south side.

The Compton Arms is surrounded by and is in close proximity to a number of residential units, including on the opposite side of the avenue, Hyde Place, Canonbury Lane and Edward's Cottages. There are approximately 19 residential premises surrounding the public house.

The Compton Arms is an old type public house, relatively small in area, that provides cooked food, hot beverages and alcoholic drinks.

The current licence allows for:

the playing of recorded music, Mondays to Sundays, 00:00 to 24:00;

late night refreshment, Mondays to Saturdays, 23:00 to 00:30, Sundays, 23:00 to 00:00;

supply of alcohol, Mondays to Thursdays, 10:00 to 23:00, Fridays and Saturdays, 10:00 to 00:00, Sundays, 10:00 to 22:30;

opening hours are Mondays to Thursdays 10:00 to 23:30, Fridays and Saturdays, 10:00 to 00:30, Sundays 10:00 to 23:00.

The holder of the premises licence is: Compton Arms Ltd, 259 London Road, Chippenham SN15 3AR, and the DPS is Nicholas P Stephens.

The main licence conditions relate to the supply of alcohol. Noise conditions are limited to:

- 1. Staff patrolling the premises regularly including outside area to ensure patrons leave the area quietly and in an orderly manner.
- 2. Air conditioning shall be installed and maintained on the premises.
- Acoustic lobbies shall be provided on all exit and entrance ways.
- 4. A system of ventilation shall be installed and maintained on the premises to prevent nuisance from odour emanating from the premises.

To date only conditions 1 and 4 are or have been complied with, with varying success in relation to 1.

These conditions were drawn up in 2006. The then owners and subsequent owners of the pub did not appeal, amend or apply to vary the licence conditions.

It would be difficult in my opinion for conditions 2 and 3 to be complied with as the pub is relatively small and internal lobbies will make the pub smaller. The current means of ventilation is keeping the front windows and rear door open; there is no condition requiring doors and windows to be kept closed except for access and egress.

The Environment Dept has received numerous complaints over the past 10 years. These are divided as follows:

One in April 2012, One in September 2018 Nine in 2019 (from May to September) Two in 2020 (October and November)

21 in 2021 (April to December), including 4 registering dumped rubbish. It is noted that the premises has a commercial waste collection contract with the London Borough of Islington.

13 in 2022 to date.

The majority of complaints refer to people noise, large groups of people outside the pub, loud music and noise from plant located on top of the flat roof at the rear of the pub, serving the chillers in the beer keg store room.

From 2021 to 2022, 2 of the complaints investigated resulted in Anti-Social Behaviour being witnessed (large groups of people outside) and these were resolved on the night. These were on the 11th September 2021 and 10th June 2022.

Unfortunately, with regards to the remainder of the complaints, either no issues were witnessed or not considered to be a statutory nuisance. With regards to plant/mechanical noise, the reporter was advised to call our ASB/Out Of Hours service to assess the noise at night and how it affects them but we do not have any record of calls or reports being received or officers visiting residents to assess plant/mechanical noise after 11pm. However, it is recommended that the plant or machinery installed on external surfaces in connection with the premises, such as chillers, should be assessed by an acoustic consultant and should be such that when operating, the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.

I have seen the video recordings by one of the reporters showing sound levels for both machinery and people noise. However, these readings cannot be used by us for a number of reasons, including the calibration of the equipment used, comparison with normal background levels or what it was actually measuring. In a couple of videos birds could be heard singing and emergency vehicle sirens could be heard. To put it perspective, light traffic is between 50-55dB and normal conversation is around 60dB.

In view of the complaints received, we would recommend that the management of the pub prepare a policy document with regards to the use of the outside areas, both front and rear. The policy document should include a maximum number of people in both areas, no standing in the rear garden and a maximum of 15 people outside in the front of the pub. There should be a time limit of no drinking in both areas of 10pm. The rear garden should be cleared of patrons by 10pm. The policy document should be sent to and approved by the Licensing Team.

Currently the music is played at background levels and should remain so.

Kind regards,

Fanos Santis
Senior Environmental Health Officer,
Public Protection and Regulatory Services,
Environment Department,
Environmental Pollution, Policy and Projects Team,
Islington Council, 3rd Floor,
222 Upper Street, London N1 1XR

Tel: 020 7527 3963, email:fanos.santis@islington.gov.uk, <u>www.islington.gov.uk</u> NB: I am now part time and work only Tuesdays, Wednesdays and Thursdays.

The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this E-Mail and your reply cannot be guaranteed.

Whitton, Daniel

From: Plaster, Kevin

Sent: 23 August 2022 16:05

To: James, Kamarl Cc: Licensing

Subject: RE: Premises Licence Review: Compton Arms, 4 Compton Avenue, Islington, London, N1 2XD

Dear Licensing,

The Planning & Development section have the following comments to make in relation to the above license review application.

The property is not a listed building but it is located within the Canonbury Conservation Area.

Planning permission was granted on 7 June 1962 for the rebuilding of the existing public house (TP88903).

There are no planning conditions relating to opening times of the premises.

A current enquiry regarding the kitchen extractor and chiller unit on the main roof of the property has been received. The vast majority of the kitchen extractor has existed in excess of 4 years and, as such, would be immune from planning enforcement action. I also confirm that the change to the top of the kitchen extractor has not resulted in a material alteration to the external appearance of the property. On this basis, a planning application would not be required in this instance for this change. As there is not a breach of planning control, no further action is to be taken in this matter. As there are no planning conditions restricting noise levels, any controls on noise emissions would have to be via the Environmental Protection Act.

With regard to the chiller on the roof, this matter was investigated in August 2018. At this time the unit was on a lower roof to the main roof. Due to its limited visibility in the public realm, it was concluded it was not a material alteration to the external appearance of the property and planning permission was not required. However, it would appear that it has been relocated to the main roof of the property. In this new location it could be argued that the new location requires planning permission.

Please note that these comments are based solely on the information provided on the licensing application form and do not constitute a guarantee that planning permission is or is not required. If the applicant requires formal confirmation that no planning permission is needed for the activities described in the licence application, they are recommended to submit an application for a certificate of lawfulness under Sections 191-2 of the Town and Country Planning Act 1990 (as amended).

Kind regards

Kevin Plaster Deputy Manager – Planning Enforcement

Planning & Development Management
Community Wealth Building | London Borough of Islington

(020) 7527 3530 | Town Hall, Upper Street, London, N1 2UD kevin.plaster@islington.gov.uk
www.islington.gov.uk

5A Compton Avenue London N1 2XD

18 August 2022

The Licensing Team
Public Protection Division
222 Upper Street
London
N1 2UD

Dear Sir or Madam

Response by Applicants to the Response from The Environmental Pollution, Policy and Projects Team to Application for Review of the Licence of The Compton Arms Public House (the Pub).

Reference to the 'author' refers to Fanos Santis, the Senior Environmental Officer who wrote to the Responsible Authorities and Applicants regarding the above matter by email on 17 August 2022.

We agree that two significant conditions relating to noise are not being complied with.

The view of the author that it would be difficult to comply with the provision of acoustic lobbies and air conditioning is not agreed with by the Applicants.

At that time these conditions were included the size and structure of the pub was known and it was seen fit to include them to protect against noise pollution, irrespective how hard they were for compliance.

Acoustic lobbies are two doors that need to be opened to gain access or egress. There is no set distance between the two doors. The fact that two doors exist would mean a shorter period where noise can emanate from inside. Certainly two doors is better than using the open doors as ventilation which merely serves to aggravate the effects of non-compliance.

Air conditioning can easily be fitted to the premises and it is not costly to provide the capacity required for adequate ventilation. We do not agree with the author's view on this matter.

The author notes that there is no condition to require the front window and rear door to be kept closed. This would not have been required if there was compliance to the provision of acoustic lobbies and air conditioning. Compliance would have meant the doors and windows could be kept shut, but leaving these open compounds the infringement. There is no condition in the licence for anything that is already covered by another condition.

Regarding the data on the number of complaints received by the authors' department, as nothing seemed to come from any of these complaints, residents were concerned that this might be a futile process and abandoned it in favour of the Application for a Review.

The author notes that there were few occasions where the noise was witnessed and where it was, being one occasion where officers attended one of the applicants' property to witness the noise, it was deemed to not be a statutory nuisance.

The concept of statutory nuisance is unreliable as it is purely in the judgment of the witnessing officer. Officers have no framework to report within so if they say it isn't a statutory nuisance, then it isn't. An enquiry into the reasons why a particular witnessed event was not a statutory nuisance with an Environmental Team member was like a scene out of the film Catch 22 as no reasons could be given but just that it was not statutory nuisance.

We agree with an expert assessment of the plant and machinery but think this should be independent of the Pub and take account of the proximity of any residences.

As BS 4142 also applies to commercial activity, perhaps the same criteria can be applied to the noise emanating from the rear garden and the front of the Pub.

We realise that the video of sound recording equipment cannot be relied upon by the authors' department. This was provided as no other sound readings exist of the noise coming from the Pub most significantly none by the authors' own department.

The author makes a number of recommendations regarding the management of the Pub.

The use of a voluntary Policy Document by the Pub has been tried and failed due to the Policy Document not covering significant issues, and non-compliance by the Pub.

The authors' recommendation for outside drinking to the front are not agreed to. At the front, 15 people can make a lot of noise and will still block the public highway. In pubs in residential areas in Islington, say such as The Island Queen in Noel Road, no outside drinking is allowed.

Regarding the rear garden, a restriction based on no standing is welcome. The recommendation that the rear garden be closed at 10pm does not seem consistent with Islington Policy as it is noted that a pub in a residential area, albeit in a more open setting such as say, The Canonbury Tavern on Canonbury Place, the garden is required by condition of the licence to close at 9 pm. Given the closer proximity of residences around the Pub, our request of 8pm garden closing seems appropriate.

We are surprised that the author proposed recommendations without having access to sound recordings and analysis of the current and past noise levels and without an assessment as to the effects of his recommendations on those noise levels. It is hard to see these arbitrary recommendations making any difference to the noise currently being suffered by residents.

We are also surprised that the author states his personal views about compliance with important existing licence conditions without reference to the technical options available or consideration of alternative arrangements to achieve the intended effect of those conditions.

We are further surprised that the author points out there is no condition requiring doors and windows to stay closed when the acoustic door condition would mean exactly this. The idea of a condition for acoustic lobbies that allows leaving all doors open misses the point.

We applaud the author in his efforts to be conciliatory. We have also tried this conciliatory approach which did not work due to design and compliance hence the reasonable requests in our Application, which we feel would be better included as licence conditions, and small changes in the licence, complied with in full at all times.

Given this is a small pub in a quiet, close proximity, 100% residential area we seek little more than compliance with the existing licence and reflection of reasonable Islington Licensing Policy reflected in changes to the licence.

Yours faithfully



Hannah Flinders, Applicant and on behalf of All Applicants

<u>Compton Arms, 4 Compton Avenue</u> <u>Premises Licence Conditions Investigation.</u>

- On reviewing the premises licence review application for the Compton Arms, 4
 Compton Terrace, received by the Islington licensing service on 27th July 2022
 there is specific reference to a number of licence conditions found at Annex 2
 of the current premises licence, LN/4742-191119.
- The licensee has questioned the basis for these conditions given that they appear to be inconsistent with the hours, licensable activities and size of their premises.
- On investigation, the premises licence conditions from annex 2, numbered 5 to 25, were added to the premises as a result of a premises licence conversion and variation application received on 5th July 2005.
- This application was seeking to allow the premises to sell alcohol, on & off supplies, Mondays to Thursdays from 10:00 until 23:00, Friday & Saturdays from 10:00 until 00:00 and Sundays from 10:00 until 22:30.
- The licensing officer dealing with application noted that the premises already had permission to sell alcohol for an additional hour each day as the premises benefitted from a Supper Hours Certificate. As a result, the terminal for the sale of alcohol was already 00:00 on Mondays to Saturdays however, the premises would have to adhere to the below licence condition:
 - Alcohol may be sold or supplied to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the permitted hours for the sale or supply of alcohol shall be one hour less than the terminal hour specified above; in such circumstances there shall be no sale or supply of alcohol between 15.00 and 19.00 on Christmas Day.
- The premises licence holder confirmed they wished to proceed with the application as they wished to operate without having to adhere to this condition.
- The application was in effect seeking a reduction in the hours permitted to sell alcohol and was approved without the need for consultation. This approval was subject to licence conditions consistent with the operating schedule included with the application.
- The operating schedule was then assessed and appropriate and enforceable conditions should have been added to the amended premises licence by the licensing officer.
- When reviewing the operating schedule for this application, which can be found within Section Q of the application form, it was clear that a number of the licence conditions were wrongly added to the licence.

- The licence conditions added to the premises licence are detailed on the attached document and have been assessed as follows:
 - Annex 2, Conditions 1 to 4 were embedded conditions carried over from the original Magistrates Licence held at the premises;
 - All conditions underlined (Annex 2, conditions 5 to 9, 11 to 17, 22 & 23) are considered to be consistent with the operating schedule and should therefore be on the premises licence;
 - All conditions that have been struck-through (Annex 2 conditions 10, 18 to 21 and 25) are not deemed to be consistent with the Operating Schedule and should not therefore be on the premises licence;
 - Condition 24 had been incorrectly drafted and has now been amended in line with the proposal detailed within the Operating Schedule.
- Additional conditions consistent with the Operating should have been added as detailed below:
 - The licensee shall adopt best practises e.g. Control of Noise from Pubs and Clubs and other voluntary codes of practice including the BBPA and Portman Group point of sale promotions;
 - The licensee shall effectively manage the movement of people, including staff, and traffic arriving and leaving the premises.
- The licensee at the time of granting this licence, Green King Retailing Limited, did not challenge these conditions on receiving their licence.

Appendix 7.1

	r licensing objectives (b,c,d,e) (plea	· · · · · · · · · · · · · · · · · · ·
particular ensure :	nt controls and effective training of all s no underage drinking, drunkenness or aviour and protect children from harm.	taff so they are aware of the licensing objectives and in the premises, drunkenness in public, use of drugs, violent
) The prevention	n of crime and disorder	
adhering to the BB schemes and /or p	PA , Portman Group on drinks strategy hoto-id driving licences. Member of the	supervision of all staff. Adopting best practise guide-e.g. and other voluntary codes of Practice. Use of proof of age Pub watch scheme. Use of toughened glass and plastic urity measures e.g. lighting outside the premises.
Public safety		*
general staff levels Adoption of best p promotions. Tough	to secure safety of the premises and cractises e.g. voluntary codes of practice	tive and responsible management at all times. Provision of ustomers. Training and supervision of those employed. including the BBPA and Portman Group point of sale ses for the outside areas. Regular testing and certification intinent to safety.
The prevention	of public nuisance	
	-	vision to prevent incidents of public nuisance. Regular visit
to all parts of the p practises e.g. Conf Portman Group po premises. Liason v	remises including the exterior and deliver rol of Noise from Pubs and Clubs and c int of sale promotions. Managment of pe	ery areas etc. outside opening hours. Adoption of best other voluntary codes of practice including the BBPA and eople including staff and traffic arriving and leaving the rs. External lighting and security lighting installed. Collectio
) The protection	of children from harm	

Annex 1 - Mandatory conditions

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

Annex 2 - Conditions consistent with the Operating Schedule

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

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- 3. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
- 4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virute of the enactments hereinafter set out:
 - Children and Young Persons Act 1933
 - Cinematograph (Safety) Regulations 1955
 - Sporting Events (Control of Alcohol Etc) Act 1985a
- 5. All staff shall be trained regularly on licensing provisions.
- 6. All staff shall receive drug awareness training.
- 7. <u>There shall be no promotions that encourage illegal, irresponsible or immoderate consumption of alcohol.</u>
- 8. <u>The licensee shall put arrangements in place to ensure that when staff are dealing with young people they ask for valid proof of age e.g. Portman Proof of Age card, National Passport or Photo Drivers Licence before selling alcohol to them.</u>
- 9. <u>The manager shall actively participate in and support the local Pubwatch scheme.</u>
- 10. CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer with 24 hours of any request.
- 11. Toughened glass shall be used throughout the premises.
- 12. Litter bins shall be provided.
- 13. Security lighting shall be installed and maintained outside the premises.
- 14. <u>Documented management risk assessments shall be carried out on at least a weekly basis.</u>
- 15. Staff levels shall be maintained at levels adequate to secure public safety.

- 16. All safety equipment shall be regularly tested and current safety test certificates shall be kept on the premises for inspection by authorised officers.
- 17. <u>Staff shall regularly patrol the premises, including outside delivery areas, and beyond permitted hours to ensure that patrons leave the area quietly and in an orderly manner.</u>
- 18. Air conditioning shall be installed and maintained on the premises.
- 19. Acoustic lobbies shall be provided on all exit/entrance ways.
- 20. A dedicated licensed taxi/mini cab service shall be available within the premises for customers.
- 21. Details of locally available public transport shall be displayed on the premises.
- 22. <u>Regular patrols shall be carried out to remove litter connected with the premises.</u>
- 23. <u>A system of ventilation shall be installed and maintained on the premises to prevent nuisance from odour emanating from the premises.</u>
- 24. <u>Children shall only be permitted on the premises between 08.00 10:00 and 19.00 20:00, 21.00 in the restaurant area and must be accompanied at all times.</u>
- 25. No children shall be permitted on the premises while regulated entertainment is taking place.

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

None

Annex 4 - Plans

Reference Number: HOUSE LP1 Date: 6 July 2006

Suggested conditions put forward by Responsible Authorities in response to the application for review:

Conditions proposed by the Metropolitan Police

1. Remove condition 5 and replace with:

All staff members engaged in selling alcohol on the premises shall, upon induction and every 12 months thereafter, receive training pertinent to the Licensing Act. All such training shall be fully documented, signed by the employee, and kept at the premises for inspection by Police or other authorised officers.

Training shall include, but not be limited to:

- a. The premises age verification policy;
- b. Dealing with refusal of sales; and
- c. Identifying attempts by intoxicated persons to purchase alcohol Identifying signs of intoxication.

2. Remove condition 8 and replace with:

The premises shall operate the Challenge 25 proof of age scheme, where the only forms of acceptable identification shall be:

- a. Photographic Driving Licence;
- b. Passport;
- c. Military (or UK Services); or
- d. Photo ID/PASS Hologram ID.

3. Remove condition 10 and replace with:

CCTV shall be installed, operated and maintained at all times that the premises is open for licensable activities, so as to comply with the following criteria;

- a. The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and time of the person checking, shall be kept and made available to police or authorised council officers on request;
- b. The police must be informed if the system will not be operating for longer than one day of business for any reason;
- c. One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
- d. The system will provide coverage of any exterior part of the premises accessible to the public;
- e. The system shall record in real time and recordings will be date and time stamped;
- f. Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to police or authorised council

- officers on request, (subject to the Data Protection Act 1998) within 24 hours of any request, and
- g. At all times the premises are open for licensable activity, there will be a person on the premises who can operate the system sufficiently to allow police or authorised council officers to view footage on request.
- 4. There shall be at least 1 personal licence holder on duty on the premises at all times when open for licensable activities.
- 5. The premises licence holder shall make all reasonable endeavours to eliminate any anti-social behaviour or nuisance arising out of its licensable activities, and undertake to work with the Police and Local Authority where any such issues are identified.
- 6. Clear and prominent signage will be displayed at the premises highlighting:
 - a. CCTV in operation;
 - b. Challenge 25 Proof of Age Scheme in operation;
 - c. Residential Area: Please be respectful of our neighbours and leave quietly; and
 - d. Current contact telephone number for the DPS and/or manager on duty.
- 7. An incident log shall be maintained at the premises, and made available to the Police or any authorised officer upon request. All entries will include time/date/name of person making entry. Said log will record the following:
 - a. all crimes reported to the venue;
 - b. all ejections of patrons;
 - c. any complaints received concerning crime and disorder;
 - d. any incidents of disorder either in or directly outside the venue;
 - e. all seizures of drugs or offensive weapons;
 - f. any faults in the CCTV system;
 - g. any visit by a relevant authority or emergency service; and
 - h. any refusal of alcohol sales.
- 8. On all dates when Arsenal Football Club, are playing at home (accepted as being when the male 1st team is playing at the Emirates Stadium), the following will apply:
 - a. There shall be no sales of beer, lager or cider in glass containers during the period commencing 2 hours before kick-off and ending 1 hour after the game finishes; and
 - b. The management shall immediately cease all alcohol sales if requested to do so by a police officer.
- 9. In the event that any assault or serious crime 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 without delay;
- b. All safe and practicable steps are taken to apprehend any suspects pending the arrival of the police; and
- c. The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police.
- 10. The licensee shall train and instruct the management and staff to prevent the admission of, and ensure the immediate and orderly departure of:
 - a. any and all persons who appear to be drunk and/or disorderly; and
 - b. any and all persons displaying signs of other substance abuse.

Conditions proposed by the Council's Noise Service

- 11. Pub management should prepare a policy document with regards to the use of the outside areas, both front and rear. The policy document should include a maximum number of people in both areas, no standing in the rear garden and a maximum of 15 people outside in the front of the pub. There should be a time limit of no drinking in both areas of 10pm. The rear garden should be cleared of patrons by 10pm. The policy document should be sent to and approved by the Licensing Team.
- 12. Background music only.

