



Report of: Service Director, Public Protection

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

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

1. Synopsis

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

2. Relevant Representations

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

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

3. Background

3.1 Papers are attached as follows:-

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

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

3.3 Three local residents have submitted representations.

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

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

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

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

4. Planning Implications

4.1 The Planning Service has not made any adverse comments.

5 Recommendations

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

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

6 Conclusion and reasons for recommendations

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

Background papers:

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

Final Report Clearance

Signed by


Service Director – Public Protection

Date

22/6/17

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

WOK/160039564.

The Licensing Act 2003 (Forms) (Amendment) Regulations 2013 - Schedule 1, Regulation 3

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

The Licensing Service
Islington Council

STP? 21/12/16

OK

LIC4

21/12

Appendix: 1

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

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

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

Premises licence number
LN/13684-140612

Part 1 - Premises Details

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

Shoreditch Grind
213 Old Street

Post town London

Post code EC1V 9NR

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 25,750.00

Part 2 - Applicant Details

Daytime contact telephone
number

E-mail address (optional)

✓ Current postal address if
different from premises
address

Caffeine Machine Limited
8 - 10 New North Place

Post town

London

Post code EC2A 4JA

Part 3 - Variation

Please tick as appropriate

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

☒ Yes ☐ No

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

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

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

☐ Yes ☐ No

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

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

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

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

To vary the registered office address of Caffiene Machine Limited.

Part 4 - Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

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

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

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

☐

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

☐

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri	23.00	01.00			
Sat	23.00	01.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)		On the premises	<input type="checkbox"/>
					Off the premises	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Mon						
Tue						
Wed			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)			
Thur						
Fri						
Sat						
Sun						

K

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

L

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

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

Please tick as appropriate

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

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

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

M

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

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

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

b) The prevention of crime and disorder

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

c) Public safety

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

d) The prevention of public nuisance

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

e) The protection of children from harm

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

Checklist:


Please tick to indicate agreement

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

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

Part 5 - Signatures (please read guidance note 11)

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

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

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

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



ISLINGTON

PREMISES LICENCE LICENSING ACT 2003

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

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

Where the licence is time limited the dates
Not Applicable

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

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

The opening hours of the premises: Not specified

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

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

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

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

07444978

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

David Abrahamovitch
43 Hollybush Hill
London
E11 1PS

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

L B Redbridge 044711

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


Service Manager (Commercial)

5/4/16
Date of Issue

Annex 1 - Mandatory conditions

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

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

Annex 2 - Conditions consistent with the Operating Schedule

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

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

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

Annex 4 – Plans

Reference Number: LN-13684-310316

Licence

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

Flag Status: Flagged

Dear

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

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

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

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

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

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

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

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

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

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

www.islington.gov.uk

How to get here:

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

REP 1.
Appendix 2

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

January 11, 2017

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

Dear Ms Tomashevski,

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

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

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

With kind regards,

Williams, John

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

Attn: Katie Tomashevski, Licensing Service

Dear Ms Tomashevski -

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

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

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

With kind regards,

Email correspondence with Ms Brothers:

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

Dear

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

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

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

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

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

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

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

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

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

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

www.islington.gov.uk

Email correspondence with Mr Gary King of Sharps Redmore

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

Dear

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

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

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

Regards

Gary

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From:
Sent: 07 November 2016 23:39
To: Gary King
Cc:
Subject: Re: Grind, Shoreditch

Dear Gary and Martin -

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

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

Kind regards,

Sent from my iPad, apologies for typographical mishaps

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

wrote:

Dear

Thank you for your swift response.

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

Thanks again for your help.

Kind regards

Gary

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From:
Sent: 07 November 2016 12:32
To: Gary King
Subject: Re: Grind, Shoreditch

Dear Gary (if I may) -

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

My mobile phone is

Kind regards,

Sent from my iPad, apologies for typographical mishaps

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

> wrote:

Dear

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

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

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

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

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

Regards

Gary

Gary King
Associate

<image001.png>

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

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

psredmore.co.uk

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Williams, John

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

Hello council team,

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

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

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

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

Looking forward to hearing from you.

Williams, John

From:
Sent: 17 January 2017 11:06
To: Licensing
Subject: WK/160039564 - Shoreditch Grind, 213 Old Street, EC1V 9NR
Attachments: IMG_1314.JPG.zip; IMG_1312.JPG.zip; IMG_1315.JPG.zip; IMG_1318.JPG.zip; IMG_1317.JPG.zip

Dear Katie and team,

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

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

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

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

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

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

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

The prevention of public nuisance

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

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

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

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

Photos from my flat looking at the extremely large Grind window where so much noise emanates from

Photo from outside

3. Moving of bins

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

Crime and disorder / public safety

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

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

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

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

Summary

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

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

Kind regards
Patrick

Phone
Mobile
Email

IN THE MATTER OF:

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

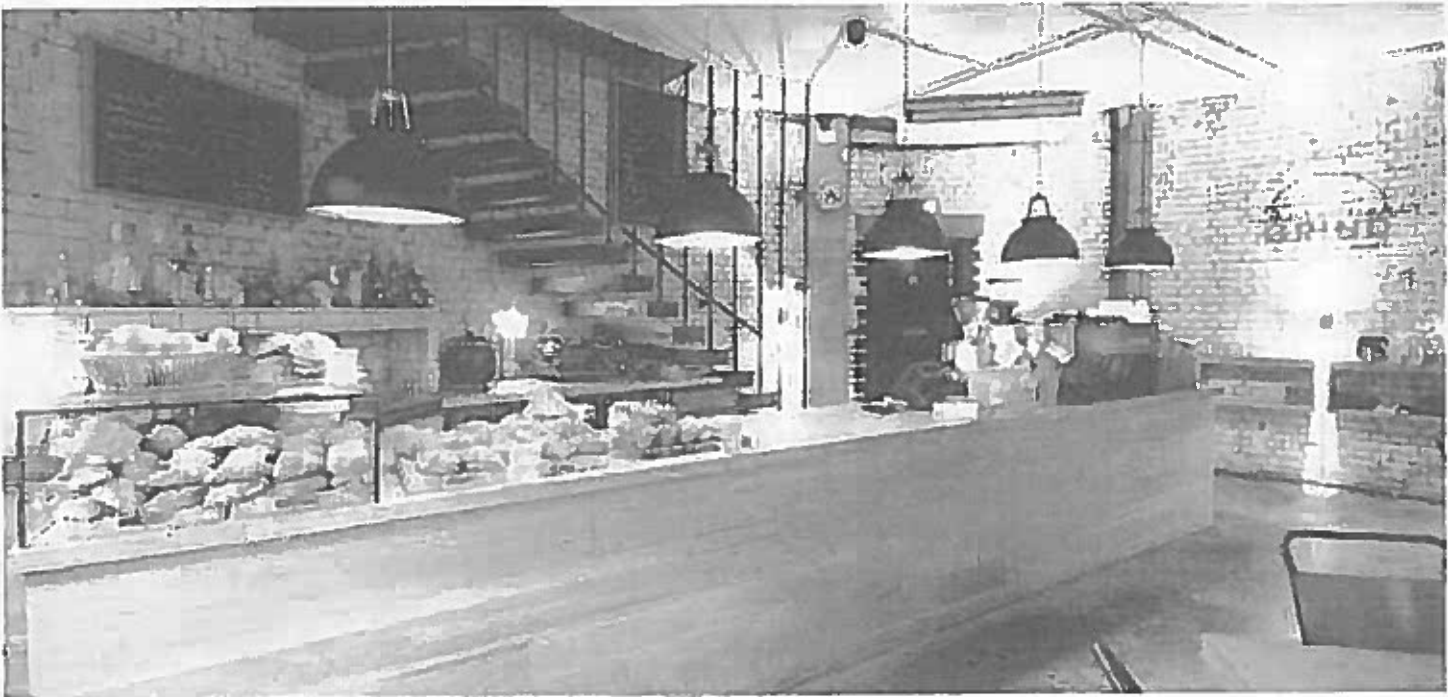
**BUNDLE OF DOCUMENTS UPON WHICH
THE PREMISES LICENCE HOLDER WILL
SEEK TO RELY AT THE HEARING
AT 6.30 P.M. ON TUESDAY, 23 MARCH 2017**

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

Appendix 1









Appendix 2

GRIND

BREAKFAST

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

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

FRESH PRESSED JUICE

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

Please alert your waiter to any allergies before ordering.

Shoreditch Grind | Soho Grind | Holborn Grind | London Grind | Covent Garden Grind

GRIND

SMALLS

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

SOURDOUGH PIZZA

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

BURGER & PROPER CHIPS

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

GRIND

COCKTAILS

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

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

BEERS & CIDER

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

Appendix 3

SHARPS REDMORE

ACOUSTIC CONSULTANTS • Established 1990



Report

Environmental Noise Report

Grind & Co, 213 Old Street

Prepared by
Gary King MIOA

Date 30 November 2016

Project No 1616524

Head Office

The White House, London Road,
Copdock, Ipswich, IP8 3JH
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South England (Head Office),
North England, Wales, Scotland

Regional Offices

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Contents

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

Appendices

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

1.0 Introduction

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

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

2.0 Legal Requirements and Noise Criteria

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

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

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

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

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

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

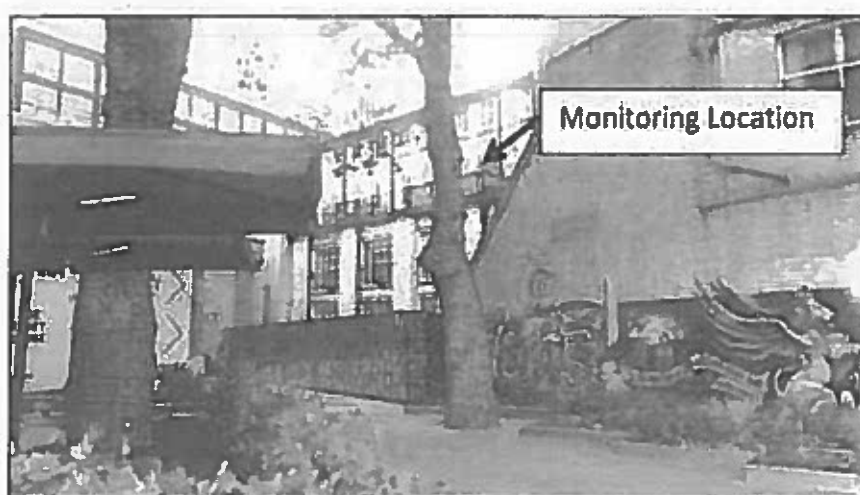
- The music noise shall not cause any increase in the $L_{A90(1min)}(f)$ when compared with the existing equivalent $L_{A90(1min)}(f)$.
- Music noise from the licensed premises shall not cause any increase in the real time simultaneous $L_{eq(1min)}$ 1/1 octave band sound pressure level centred on the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

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

3.0 Noise Survey and Assessment

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

Figure 1: Monitoring Locations



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

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

Awgt	L _{Aeq,1min} Frequency Hz								
	32	63	125	250	500	1.0	2.0	4.0	8.0
83	70	69	79	76	81	79	76	70	61

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

Table 3.2: Survey Results

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

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

Subjective Assessment

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

APPENDIX A

ACOUSTIC TERMINOLOGY

Acoustic Terminology

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

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

L_{AMAX} The maximum level of sound measured in any given period. This unit is used to measure and assess transient noises, i.e. gun shots, individual vehicles, etc.

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

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

Where

n = Number of events in time period T.

T = Total sample period in seconds.

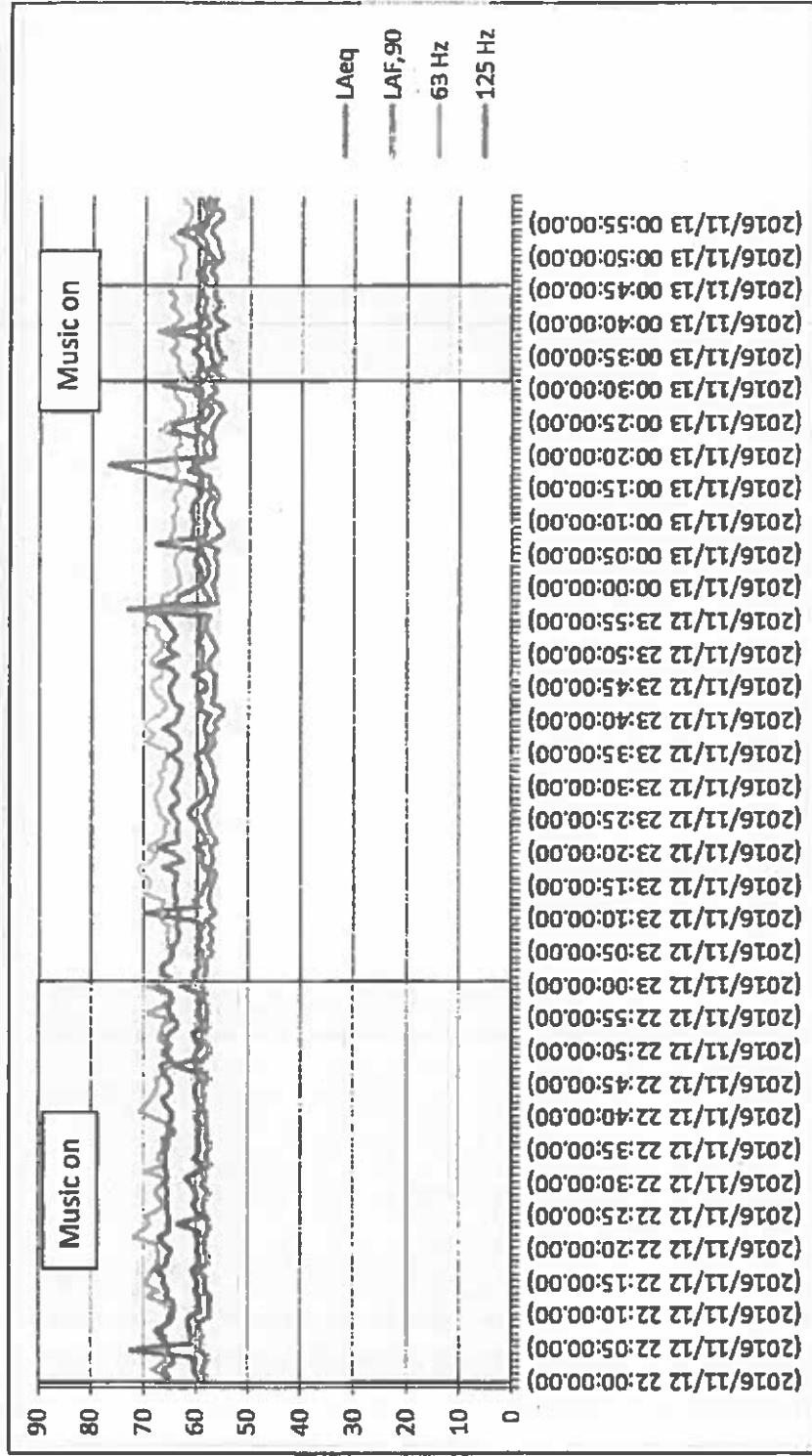
- A8** In the open, known as free field, sound attenuates at a rate of 6 dB per each doubling of distance. This is known as geometric spreading or sometimes referred to as the Inverse Square Law. As noise is measured on a Logarithmic scale, this attenuation in distance = 20 Log (ratio of distances),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

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

APPENDIX B

SURVEY RESULTS

Appendix B: Survey Results 12/13th November 2016



SHARPS REDMORE

ACOUSTIC CONSULTANTS • Established 1990



Reference: The Grind & Co, Shoreditch

Project No: 1616524

Date: 26 May 2017

Technical Note

Re: Grind & Co – Noise Test

1. Introduction

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

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

Awtg	L _{Aeq,1min} Frequency Hz								
	32	63	125	250	500	1.0	2.0	4.0	8.0
83	70	69	79	76	81	79	76	70	61

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

2.0 Procedure

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

3.0 Assessment

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

Table 2: Music Noise – Internal

Awgt	L _{Aeq,1min} Frequency Hz								
	32	63	125	250	500	1.0	2.0	4.0	8.0
96.2	64.4	84.3	98.2	90.2	91.7	89.5	87.3	90	84.9

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

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

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

Gary King MIOA

Associate

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Remove and replace the following condition from the current premises licence

Annex 2 Condition 13

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

Conditions consistent with the operating schedule

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

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

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

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

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

Suggested conditions of approval recommended by the Police (agreed)

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

