



Report of: Service Director, Public Protection

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

Delete as appropriate		Non-exempt
-----------------------	--	------------

Subject: PREMISES LICENCE NEW APPLICATION
Hop, Burns & Black, 38 Balls Pond Road, London, N1 4AU

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to allow:
- The sale by retail of alcohol, on & off supplies, Mondays to Sundays from 10:00 until 22:30; and
 - The premises to be open to members of the public, Mondays to Sundays from 10:00 until 23:00.

2. Relevant Representations

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

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Local residents	Yes: Two but one has withdrawn.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

3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2: representations;

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

Appendix 4: suggested conditions and map of premises location.

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

4. Planning Implications

4.1 No planning restrictions.

5 Recommendations

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

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

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

6 Conclusion and reasons for recommendations

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

Background papers:

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

Final Report Clearance**Signed by**

Service Director – Public Protection

Date 22 June 2017

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

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

Applicant Business

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

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

Registration number

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 19

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 19

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

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

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

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

Continued from previous page...

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

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

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

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

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

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

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

☐ Yes ☒ No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Continued from previous page...

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 19

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

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

☐ Yes ☒ No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations

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

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

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

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

Name

First name

Family name

Continued from previous page...

Enter the contact's address

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

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 19

ADULT ENTERTAINMENT

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

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

N/A

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

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

WEDNESDAY

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

THURSDAY

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

FRIDAY

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

SATURDAY

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

SUNDAY

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

State any seasonal variations

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

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

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

Section 18 of 19

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

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

b) The prevention of crime and disorder

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

c) Public safety

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

Continued from previous page...

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

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

d) The prevention of public nuisance

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

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

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

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

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

e) The protection of children from harm

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

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

Section 19 of 19

PAYMENT DETAILS

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

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

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

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

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

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

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

Continued from previous page...

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

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

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

* Fee amount (£)

DECLARATION

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

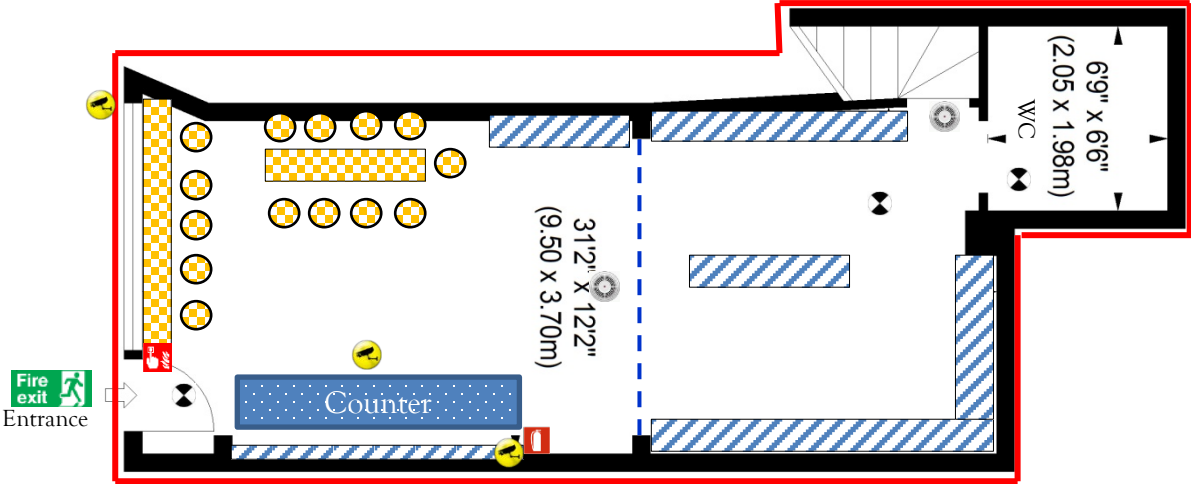
Don't forget to make sure you have all your supporting documentation to hand.

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






OFFICE USE ONLY


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

Premises Licence Plan



Key

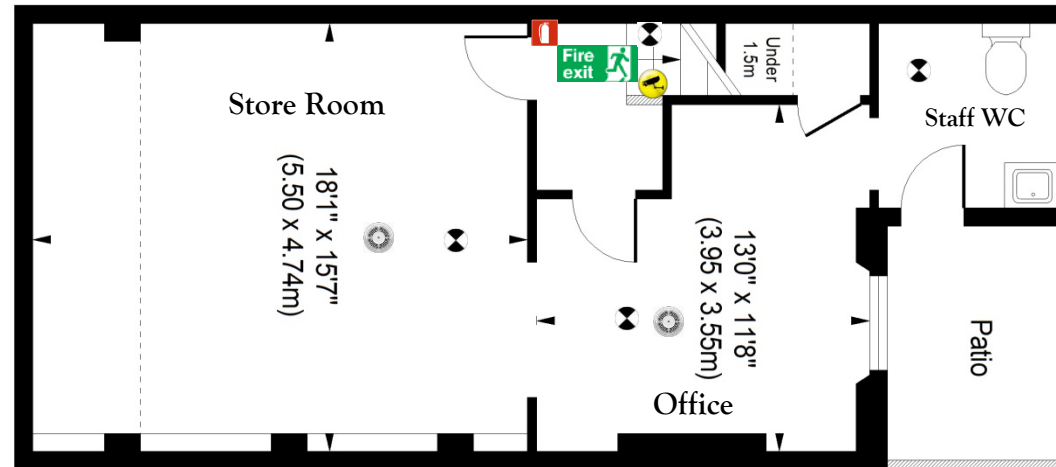
- Area Covered by Licence
-  CCTV Camera
-  Fire Extinguisher
-  Smoke / Heat Detector
-  Emergency Lighting
-  Fire Call Point
- - - Step

 Shelving / Fridges






 Tables / Chairs

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

Premises Licence Plan



Key

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

Montanez-Dodson, Monty

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

Follow Up Flag: Follow up
Flag Status: Completed

Hi

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

- i) Preventing public nuisance
- ii) Public safety

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

Best,

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

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

Dear Islington Council,

Please do not grant this license.

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

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

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

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

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

Sincerely,

[REDACTED]
[REDACTED]

Licensing Act 2003 representation pro-forma

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

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

Premises Name and address:

38 Ball's Pond Road, Islington, London

Your Name:

Interest:

Resident

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

Your Address:

Email:

Telephone:

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

Public Nuisance

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

Crime and Disorder

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

Protection of Children from Harm

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

Public Safety

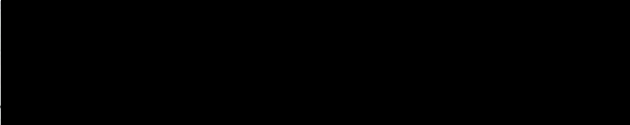
See above

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

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

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

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

Signature: 

Date: 14 May 2017

Please ensure name and address details completed above

Return to:

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

or send by email to:

licensing@islington.gov.uk

Representation Withdrawn

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

Dear Islington Council,

Please do not grant this license.

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

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

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

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

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

Sincerely,

[REDACTED]
[REDACTED]



REPRESENTATION RESPONSE

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

APPLICANT Hop Burns & Black Ltd.

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

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

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

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

ORIGINAL REPRESENTATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I look forward to your comments.

Kind regards

Peter Mayhew - Director

Beyond the Blue
Training & Consultancy

[REDACTED]
[REDACTED]
[REDACTED]

Updated: Peter Mayhew – 20/06/2017

BALFE'S

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



14.6.17

To whom it may concern,

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

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

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

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

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

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

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

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

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Dear Sir/Madam

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

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

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

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

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

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

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

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

Yours sincerely
[REDACTED]

Suggested conditions of approval consistent with the operating schedule

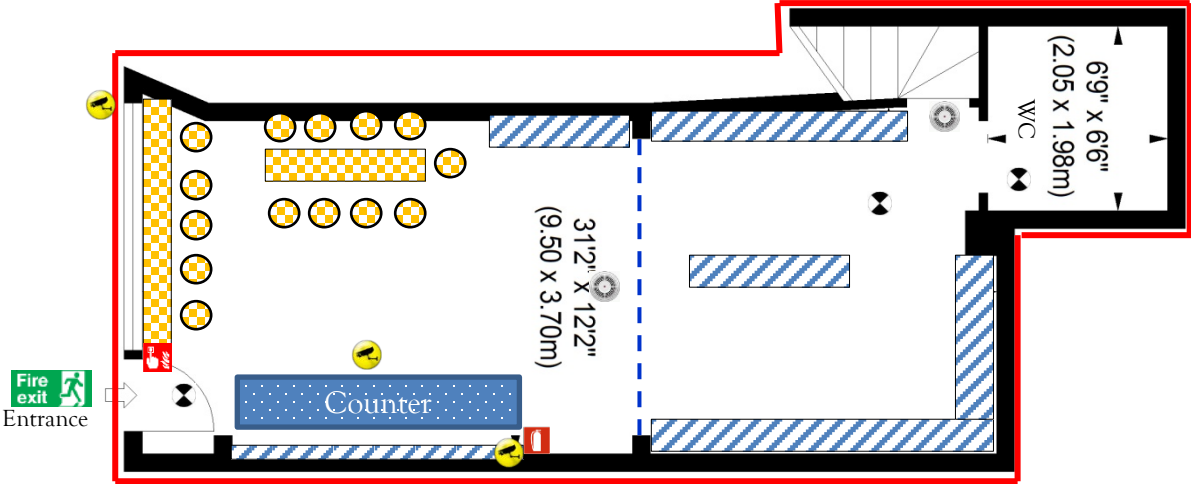
1. Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:
 - a. The responsible sale of alcohol;
 - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification;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

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

Conditions agreed with the Metropolitan Police

15. CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to comply with the following criteria:
 - a. The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request;
 - b. The Police must be informed if the system will not be operating for longer than one day of business for any reason;
 - c. One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
 - d. The system shall record in real time and recordings will be date and time stamped;
 - e. Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to Police or authorised Council officers on request (subject to the Data Protection Act 1998) within 48 hours of any request;
16. At all times, there will be a person on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.

Premises Licence Plan



Fire exit
Entrance

Counter

31'2" x 12'2"
(9.50 x 3.70m)

6'9" x 6'6"
(2.05 x 1.98m)
W/C

Shelving / Fridges

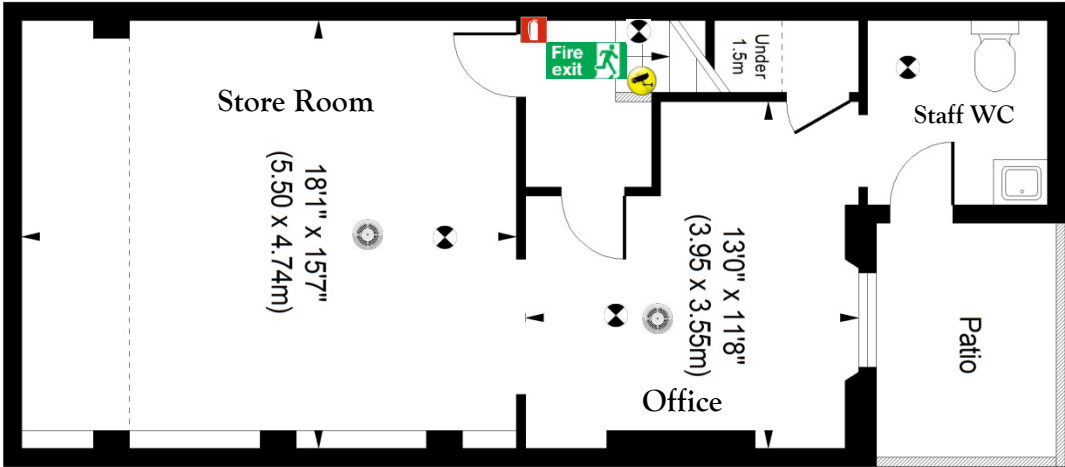
Tables / Chairs

Key

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

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

Premises Licence Plan



Key

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

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