



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	12 th September 2017		St Peter`s

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION
CANAL NUMBER 5, CITY ROAD LOCK, ST PETER STREET, LONDON, N1 8PZ**

1. Synopsis

- 1.1 This is an application for a new premises licence under the Licensing Act 2003.
- 1.2 The application is for a licence to allow:
 - The sale of alcohol for consumption on the premises: 11:00 to 20:00 on Mondays to Sundays.
 - The following opening hours: 08:00 to 20: 00 on Mondays to Sundays.

2. Relevant Representations

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

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 10
Other bodies	No

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form; cover letter and layout plan;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premises location.

3.2 Islington's Noise Service and ten residents have submitted representations to the application, and one resident has supplied supporting submission from a local ward councillor.

4. Planning Implications

4.1 The Planning & Development section have indicated that they have no comment on this licensing application.

5 Recommendations

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

5.2 The application is not in any special policy area.

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

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

6 Conclusion and reasons for recommendations

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

Background papers:

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

Final Report Clearance

Signed by


Service Director – Public Protection

Date 31 August 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

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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

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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 (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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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

* Date of birth / /
dd mm yyyy

* Nationality

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

Add another applicant

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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.

THE PREMISES WILL BE A HIGH END CAFE AND BISTRO SUPPLYING QUALITY FOOD AND DRINKS ALONG THE CANAL TOWPATH. THERE WILL BE TWO OUTSIDE SEATING AREAS FOR CUSTOMERS TO EAT AND DRINK AS IDENTIFIED ON THE ASSOCIATED PLAN. CUSTOMERS WILL ONLY BE SERVED ALCOHOL WHEN THEY PURCHASE FOOD AT THE PREMISES

Further detailed information is supplied on a separate sheet.

Continued from previous page...

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

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

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

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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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

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.

None

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.

None

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

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"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text" value="TBC"/>
Issuing licensing authority (if known)	<input type="text" value="TBC"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

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

NONE

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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="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
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.

None

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.

None

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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.

Alcohol will only be sold to customers who are eating food purchased at the premises.

Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Training will be documented & made available to the Police & authorised officers of the council upon reasonable request.

b) The prevention of crime and disorder

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.

A register of refusals of alcohol will be maintained at the premises. The register shall be examined on a regular basis by the duty manager/ DPS and the date and time of each examination will be endorsed in the register. The register will be made available for inspection by the Police and other authorised officers of the council upon reasonable request.

c) Public safety

An incident register will be maintained at the premises and made available to the authorities on request.

d) The prevention of public nuisance

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.

Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

The outside areas will be continuously monitored by staff for any nuisance or noise. Any person who may be the cause of disturbance to local residents will be dealt with appropriately by staff and an entry will be made in the incident register.

The outside seating areas will be closed to customers from 2145 hours.

e) The protection of children from harm

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25 they will be asked for proof of their age, to prove that they are 18 years or older.

The only forms of identification that will be accepted at the premises are a passport, UK photo-card driving licences, & cards bearing the 'PASS' hologram.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

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- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

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In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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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 you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

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

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

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

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

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Add another signatory

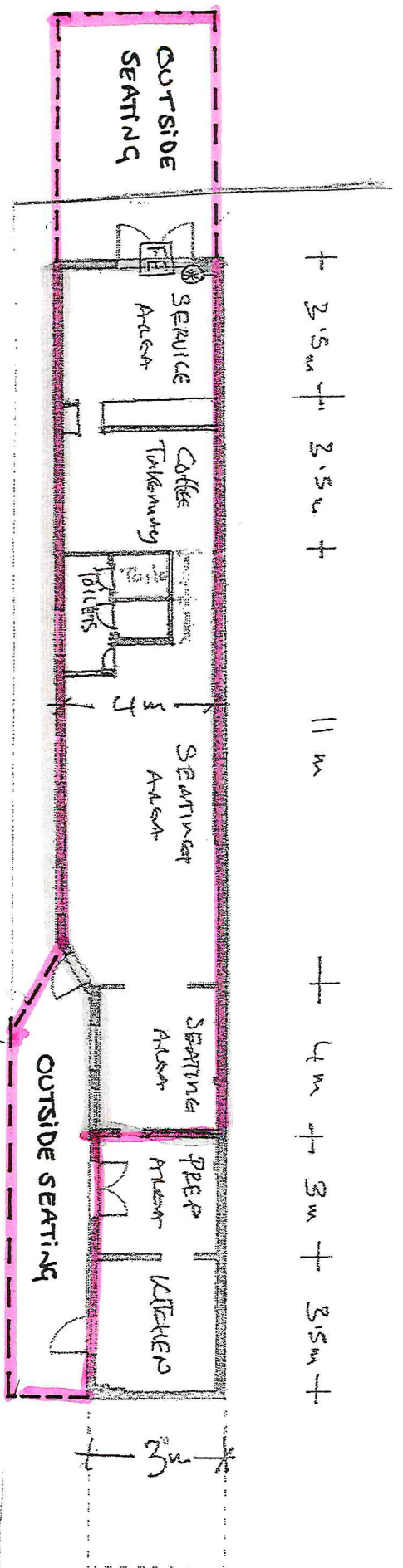
Once you're finished you need to do the following:

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

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

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

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



- FE FIRE EXITS
- * FIRE EXTINGUISHERS
- LICENSED AREA

The outside eating areas will hold tables and chairs that are NOT fixed in position.

any item not covered by the regulations of the LA2003 is liable to change at any time

CANAL NO 5 / THE KEY CAFE
CITY ROAD BASIN
OFF ST. PETERS STREET
N1 8PZ



Islington Licensing Authority Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

Your Name	Anne Brothers	
Job Title	Noise Liaison Officer	
Postal and email address	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk	
Contact telephone number	020 7527 3047	
Name of the premises you are making a representation about	Mardan Bistro Limited/Canal No. 5	
Address of the premises you are making a representation about	City Road Basin, Off St Peters Street, London N1 8PZ	
Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent public nuisance	Yes	There is history of unwanted noise and ASB at City Road Basin and the towpath generally. A recent TEN event at the café gave rise to a complaint of unwanted noise from customers voices from a local resident.
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See attached	

Signed: Anne Brothers Date: 10 August 2017 _____

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

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

Suggested noise conditions for Canal No. 5.

- Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
- 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.
- Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating entertainment is taking place i.e. live and recorded music or amplified voice.
- Bottling out from the premises is prohibited between 20:00 hours and 08:00 hours.
- No vertical drinking
- In the event of a noise complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.
- The delivery of licensable goods shall be restricted to the hours between 09:00 and 19:00 Monday-Saturday. No deliveries shall be made on a Sunday or Bank Holiday.
- Noise and/or odour from any flue used for the dispersal of cooking smells serving the building shall not cause nuisance to the occupants of any properties in the vicinity.
- Noise from plant machinery shall not cause nuisance to the occupants of any properties in the vicinity.
- Exterior lighting shall be directed away from residential properties.
- Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his/her meal with the exception of up to 6 persons in a designated area waiting to be seated
- No drinks shall be permitted outside on the terraces after 19:30. After that time a maximum of 6 smokers shall be permitted to step onto a designated smoking area on one of the terraces.

Rep 1

Thank you for providing us with the opportunity to comment on the above captioned application. Looking at the licensing objectives:

The prevention of crime and disorder

The issue with these premises is that they are not located on a road so the clientele fill the towpath area and spread out over the visiting narrow boats all along this section of the canal, getting increasingly noisy as the night wears on. They can be confident that there will be no police presence as there is no road to drive by on.

The previous licencees were not at all effective at dealing with the spread of the café clients along the canal so it became loud and disorderly (screaming and shouting) alongside all of the residential properties which back onto the canal, until late at night, meaning that local residents could not use their gardens or open their windows due to the noise all evening. We are not confident that the licensing hours would be complied with, given the location and therefore lack of oversight, meaning this is not a problem that is resolved at 8pm.

In the winter time, the darkness of the towpath would be an issue with a licence until 8pm, attracting people with criminal intent. We would not want the towpath to be lit, but if a licence is granted to this café then it should be seasonal so that it is not able to serve evening drinks (past 4pm) in the wintertime.

The prevention of public nuisance

As the premises are not on a road, deliveries of food and drink and disposal of waste are a major problem. Multiple times under the last licencees the entire day's worth of café waste – from contents of bathroom bins to food waste, containers, paper waste – was dumped outside the houses on Noel Road and left there, at times for some hours, until eventually it was collected. Whilst this would be a problem with unlicensed premises, the number of evening drinkers increases the volumes of waste substantially so making the problem worse. This is not an issue with the other licenced premises on this road, as they keep the waste inside until collection is due.

In the mornings there is the problem of deliveries, there is no kerbside delivery possibility, so all produce and drinks are delivered down the towpath, starting from early in the mornings. This almost Always ends up with the delivery drivers leaving their engines running whilst deliveries are made, and the noise of the products being wheeled down the towpath is an additional nuisance.

Public Safety

The canal towpath is not a safe environment for drinkers, especially in the dark, and there are steep steps up at the St Peters' St end of this section. There is nothing to stop people falling into the water, which must stay that way to allow use by narrowboats. The towpath is unlit at night, which is a position we support and the canal management did report the presence of bats under the bridges / tunnels and we would not want to see this changed just to accommodate yet another licensed premises.

The protection of children from harm

The proposed site backs onto a primary school, so having drinkers immediately behind the school from 11am until long after school and after-school activities are finished is inappropriate. The school

children also have planted some raised beds on the canalside, so would be on the towpath next to the drinkers during school hours with the potential for witnessing bad language and inappropriate behaviour.

Summary

There are a large number of licensed premises already in the immediate area (two within 50 yards) and providing an additional licence to this particular premises is not meeting any need and will cause undue disturbance to the local residents and school children.

Rep 2

Dear sirs,

I write to object to this application for an alcohol licence by MARDEN BISTRO LTD for the reasons set out below principally Public Nuisance. I am a local resident living by the Regents Canal and walk past City Road Lock and Canal 5 Cafe on a daily basis.

1. The Canal Cafe has 2 outdoor separate seated areas with 24 tables in very close proximity to the busy City Road Lock. This is a deep double lock on the Regents Canal busy with passing craft including regular trip boats to Kings Cross and Camden. The narrow towpath between the Cafe and the City Road Lock is heavily used throughout the day by joggers, walkers, cyclists(often at speed) fishermen and the Canal and River Trust volunteers who now man the lock daily to try and reduce pressures on the bottleneck from users. These CRT volunteers with whom I've spoken are concerned about the impact of serving alcohol to customers in an already difficult bottleneck.

2. The Cafe is close to both the Angel Cumulative Impact Zone and the Bunhill Cumulative Impact Zone identified by Islington Council. There is no dearth of suitable places serving alcohol: Six local pubs already provide plentiful food and alcohol and are within 2-3 minutes walk away(Narrowboat, Duke of Cambridge, Plaquemine, Charles Lamb , Earl of Essex and Island Queen)

3. The Lock and adjoining canal areas are important corridors for wildlife and are used by local charities Islington Boat Club and Angel Boat . The Cafe is situated in a heavily residential area near Hannover School and the care home

. The canal towpath is part of Sustrans cycle corridor from East London to the West End and heavily used by cyclists during the day.

4. There is already drinking on the Lock sides during the day and by the weir opposite the Lock cottages and the proposed application is likely to increase the noise and anti social behaviour , as is the bottling out at the end of the day . Consideration must be given to the quite unique location by the narrow Lock side to ensure it can be enjoyed safely by all Canal users.

For these reasons I object to this application.

If the Committee is minded to grant the Application, despite objections from local residents and stakeholders ,then the following conditions should be imposed on the licence:

- alcohol should only be served as ancillary to a main meal. " food" is not defined in the application and could be a bag of crisps.
no vertical drinking at any time _no offsales at any time
- tables must be vacated by customers by 20.30 prompt and bagging up of bottles completed by then, to reduce noise impact on local residents.
- The Applicant refers to 21.45 for closure which is far too late for local residents.

There have been recorded instances in the last 12 months of the Applicant serving alcohol in the evening to customers WITHOUT an alcohol licence ..it is important that the above conditions are clear and are agreed and adhered to.

Yours faithfully

Rep 3

Our concerns are;

Public Nuisance

Currently on fine summer evenings there are large groups of people sitting on and around the lock eating, drinking and playing music late into the night disturbing the local residents. Rubbish is left everywhere, our garden is used as a latrine and we cannot sleep as a result. The licensed consumption of alcohol, particularly in the evening would mean that the users of the cafe may simply spill out onto the lock at closing time contributing to the problems for local residents and for boaters using the lock.

Crime and Disorder

Following on from the above the area is now becoming a place for the use of illegal drugs.

Protection of Children from Harm

The cafe is at the foot of Hanover Primary School and Nursery. I believe since the cafe opened the incident of rats in the play grounds has increased dramatically. Certainly we have seen many more in our garden and we have a young child. Any extension of the cafe's hours and increase in the amount of food waste and dropped food increases the incidence of rats in the area posing a danger to children.

A noisy outdoor cafe in the area is inappropriate in a residential area where small children are in bed early and are unable to sleep.

Public Safety

The cafe borders the City Road lock. This is a working lock with many boats coming through and high drops into deep water from the lock levers. Inebriated people clambering onto the lock represent a significant risk to both themselves and boaters using the lock.

The towpath in this section is also now extremely busy, particularly at weekends. Already the bikers, walkers and boaters struggle to accommodate each other safely, particularly on busy summer days and dark winter evenings. The licensed consumption of

alcohol in the vicinity represents a further pressure on an already dangerous area which is already a lethal mix of road, pavement and water.

I wish my identity to be kept anonymous as I would rather not have bad feeling with the cafe owner who is our neighbour.

Please could you acknowledge this email.

Many Thanks,

Further comment

With regard to Public Nuisance, Crime and Disorder, Protection of Children from Harm and Public Safety

I would also draw your attention to the following article which highlights the danger of children playing on the lock. A situation made worse by the consumption of alcohol in the area;

<http://www.hackneygazette.co.uk/news/crime-court/lawless-city-road-canal-basin-could-lead-to-teens-being-crushed-to-death-1-2320817>

Rep 4

Prevention of Public Nuisance

It will exacerbate the extreme noise generated by the canal and lock area.

There is no need for another publically licensed premise as there are ample pubs in the area, including those on the canal like the Narrow Boat only a few yards away.

Public Safety

The canal and lockside area is a community family amenity, where already the mass of young people drinking and illegally barbecuing and playing amplified music causes enough disruption and makes it very difficult for parents with young children like ours to walk freely.

Protection of Children from Harm

Noel Road is majority family occupied with many young children living in the houses near the canal.

Hanover Primary School (which my 8 and 5 year old children attend) backs onto the towpath and already has to contend with additional vermin in their playground caused by the cafe not to mention litter thrown onto the roof of the sheltered play area.

In addition a lot of work has been put in to make this a child friendly community area particularly with regards to the Mayor's award winning Hanover Towpath Garden on the towpath. Already it can be challenging for volunteers to maintain it through the summer months with the litter, beer bottles, cans etc that are left on the garden.

For these reasons I suggest there is no need for this cafe to have an alcohol licence to 8pm.

If possible I would like to be anonymous in my response to this application.

Please acknowledge receipt of this email.

With kind regards

Rep 5

To - The Licensing Service, Islington Council

Re - Canal Number Five Cafe, Regent's Canal Towpath, N1 8PZ

I am a neighbouring resident and I am writing to object strongly to the application for a new alcohol licence at the above premises.

There are a number of reasons for this, related to the **four licensing objectives**

PREVENTION OF CRIME AND DISORDER

In winter, potential customers would need to walk down the towpath in the dark to and from the premises. It is well known that people should not be tempted to walk or cycle on the towpath at night owing to the dangers of being attacked or mugged.

PREVENTION OF PUBLIC NUISANCE

The immediate area is already extremely well served by 6 pubs in the residential streets nearby - The Charles Lamb, The Plaquemine Lock, The Earl of Essex, The Narrowboat, The Island Queen and The Duke of Cambridge are all within a four minute walk of the location. This means that there are already plenty of places for people to go for a drink in an established pub.

This application seeks to establish a brand new place to sell alcohol in a quiet, residential, conservation area. It is entirely foreseeable that this could lead to glasses and rubbish strewn around the towpath or in the canal, noise both at the venue and from people on their way there and leaving.

Being a converted pump house, the premises are by their nature very small and so it stands to reason that potential customers are more likely to be outside making noise and spilling out onto the towpath and the area near the basin. The application is for a licence for on sales but effectively the premises would effectively become a canal off licence.

Located right by the lock, the premises are at a natural 'pinch point' for the towpath. Also, boaters will have difficulty operating the lock if drinkers are in the way and sitting on the lock mechanisms and generally being in the way.

PUBLIC SAFETY

The premises can only be reached on foot or by bicycle, via the canal towpath. Indeed, the building's frontage is the towpath itself. In warm weather, customers will naturally spill out into the towpath, creating a point of conflict with pedestrians and cyclists.

There is no fence around the canal water and the water is dangerous and poisonous. There is a danger of people affected by drink tripping over mooring bollards or falling in the canal.

It is a difficult location for the police and other emergency services to access.

PROTECTION OF CHILDREN FROM HARM

The premises back on to Hanover Primary School. The school often uses the area right by the premises for teaching and projects. A bar selling alcohol is not appropriate in this location given the noise, language and behaviour that tends to go with alcohol consumption.

I wish to be kept informed of the process of the application including any relevant documents and timely invitations to relevant meetings.

Many thanks in anticipation of your help.

With kind regards,

Rep 6

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: Canal no 5, Canal Towpath, City Road Basin, London N1 8PZ

Your name: _____

Interest: Resident

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

Your Address: Graham Street, London N1 8GH

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

Based upon an event held on a temporary licence at Canal no 5 on Thursday 27th July, the noise from the venue was truly excessive and took the form of constant shouting, screaming, cheering and very loud laughter, in other words general rowdiness. The great problem with this outlet as a vendor of alcohol is that it is predominantly an outside venue; and therefore it may not be commercially viable if it is asked to limit its custom to drinkers being inside its tiny premises. Given the fact that its public use would take place mainly in summer, the impact of its noise would be considerably greater as residents of Crystal Wharf and the houses on Noel Road backing onto the canal towpath would want to have their windows open. The impact of the kind of rowdy behaviour we witnessed on Thursday 27th July, together with the possibility of music playing as

currently permitted by licensing laws – and remember this will be music playing outside, not within the confines of a pub or bar - could therefore be considerable.

I would add that, in my view, it should be borne in mind that the Narrowboat, Island Queen, Earl of Essex, Charles Lamb, Duke of Cambridge and now Plaquemine Lock are already in very close proximity to the City Road Canal towpath and it would be hard to claim that Islington suffers from any shortage of pubs in general. Canal No 5 would not be fulfilling any great missing need but its benefits would almost certainly be outweighed by its drawbacks for nearby residents.

Local tenants have the right to enjoy their homes with some degree of peace. The Regent's Canal towpath already generates a level of noise verging on the intolerable and this unnecessary addition to an already crowded local pub scene will only make it worse.

Crime and Disorder

It is crucially important for the Committee to recognise that the shape and construct of City Road basin mean that it acts as an echo chamber. The amount of shouting, singing, music playing etc from the general public are already considerable, and are amplified by the structure of the canal junction and buildings around it. In summer it is often impossible to watch - and concentrate on - TV in my living room with the window open (essential in hot weather) because of the sheer amount of background noise, much of it rowdy. The towpath is nearly constantly frequented by groups of youths, often inebriated; and attracts drunks and other unruly individuals, often shouting or singing at the tops of their voices. This usually continues until well after midnight. It is sometimes accompanied by antisocial behaviour (loud music, both live and recorded) from barge owners (and even including a pleasure-boat operator which operates rowdy, drunken canal cruises with no regard to residents), in full contravention of both local authority and Canal & River Trust guidelines on noise pollution. Any remaining discipline around noise control on the towpath will be lost if this application goes ahead as alcohol will be sold on actual site. If noise is emanating from an 'official' drinking venue then the din around it and along the towpath, already bordering on the unbearable, will be out of control. The noise and disorder issues on the canal towpath are serious and will only be exacerbated by this licensing proposal if successful.

Protection of Children from Harm

N/A

Public Safety

Canal no 5 is very close to the unhygienic water of the Regent's Canal and there is no guardrail in place, nor lifeguard. Inebriated customers of the venue would undoubtedly be running the risk of accidents. Local emergency services are under sufficient operational and financial strain as it is

without adding the possibility of having to rescue revellers from the water. Access to the canal towpath would also be a challenge for these rescue services when needed.

I wish my identity to be kept anonymous: No

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

N/A

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 5th August 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

Rep 7

Dear Licensing Service

As a resident of Crystal Wharf situated opposite the site I write to object to the granting of an alcohol licence and extended hours.

Prevention of Crime and Disorder

The applicant operates a business largely on public land, as you can see from the attached he already encroaches on the tow path in an area it is understood trading was prohibited. This generates groups of people congregating outside and causing a disturbance. You will also note that the applicant utilises BBQ kettles without any barriers or fire control, surely there is some law to govern this. In terms of litter laws, you will have noticed that smokers are not catered for as no ashtrays are provided, this results in large quantities of cigarette ends and litter in and around the area. This will only get worse if the hours are extended and alcohol is sold. The cafe predominantly caters for an outside trade as the interior of cafe is not designed to accommodate more than about 10 people, this will no doubt lead to increased crime particularly as the area is unlit and prone to attention from mobile phone thieves. It is also in an area where teenagers and children congregate in a traffic free space, given the owner's consistent and flagrant breach of his current licence I fail to understand how compliance with trading laws governing the sale of alcohol can be ensured.

Local Wildlife and Environmental Issues

The area in which the cafe currently operates is a local resource for wildlife and is protected as a Bat Corridor - if licensing is until 2000 there will be activity well into dusk, a time when bats emerge and will no doubt be impacted. This is in addition to the additional attention that the local wildfowl will no doubt attract and detriment to their habitat. Please see section regarding deliveries.

Public Nuisance and Public Safety

The location of the cafe is very close to a Cumulative Impact Area, the purpose of which is clear. Issuing an alcohol licence to the cafe will clearly add to the cumulative impact of the numerous licensed premises in the immediate vicinity, of which there are the Narrow Boat pub, Plquemine Lock, Earl of Essex and Island Queen all within 1 minute's walk of the cafe.

Given the area is not patrolled, nor under CCTV, unlit and the applicant already flaunts his existing licence it is felt that operating with a licence to serve alcohol will further increase the chances of public nuisance. Additional to this is the applicant seems to have no formal means of waste clearance, piling his rubbish at the end by the National Grid site for Islington council to collect when emptying the litter bin. As it stands the rubbish bags are often picked up and thrown in the canal by the local trouble makers or split open by foxes with rubbish left strewn over the tow path. The nuisance of cafe goers currently congregating on the tow path is bad enough in an area with high levels of bicycle and pedestrian traffic but this ends at 6pm most evenings - to extend the hours to 8pm is simply not necessary when there are several licensed premises already within just a few meters of the site.

There is no vehicular access to the site as it's on the towpath bounded by water and school. Deliveries are currently made with vans parking illegally on Danbury St or Wharf Rd and goods carted down the tow path, often in the small hours creating noise to local housing.

There is a general issue regarding noise from this site which will only get worse when alcohol is consumed and hours extended. The owner has been asked to address many times. Noise is amplified in the area due to the geography and layout. Crystal Wharf is particularly impacted.

Photos attached to indicate current breaches or lack of considerate behaviour for a business of this type operating next to a school and in a residential area.

Yours faithfully.

Application for Canal No 5 - Further information

The premises have been owned by the current owners for 4 years but has not be open and trading all that time due to an extensive period of refurbishment. The business opened in its current form in July 2016. The premises were historically old stables on the towpath of Regents Canal and had been derelict for a significant period before being improved. The re-development has created a building that is in-keeping with the canal and area in general.

Customers mostly come from the local community and range from children to elderly people. The contact with the community is at the heart of the business. Hanover Primary School is located to the rear of the premises and the school hold their fundraising events in the Café and meals are made for the children when they engage in outdoor activities with the park way at the end of the building.

Outside area

The outside areas are an asset to the area and encourage a continental style café culture and family friendly venue. Tables and chairs are provided for customers in 2 locations which are outlined on the plan that forms part of the application. The outside areas will be continuously monitored for any nuisance of noise and a condition has been offered to formalise that practise.

The application

The business is a café/restaurant serving a full menu all day. Hot breakfasts, lunch and evening meals are currently served with a range of soft drinks. The premises have seating throughout and the application is to permit the sale of alcohol to customers who are eating food purchased at the premises.

In making this application a detailed risk assessment has been undertaken and full account has been taken of the Islington Statement of Licensing Policy. The most notable points are:

- The premises are not located in an area of cumulative impact
- The hours requested are within the framework hours of closing times for restaurants & cafes.
- The sale of alcohol will only be permitted to customers who are eating food purchased at the premises.

Standards of management

The highest standards of management are employed. The DPS Arabella Mott has the Level 2 Award for Personal Licence Holders, has a knowledge of the licensing objectives her responsibilities under the Licensing Act 2003. She has been responsible for overseeing a large number of TEN's which demonstrate a good track record of compliance with legal requirements when alcohol is being sold.

TENS Applied for:

29.9.16 - Barista Training and Coffee Expo - 4pm - 9pm

17.12.16 & 18.12.16 - Fundraiser for Hanover School Community Gardens - 12pm - 8pm

24, 25 & 26.12.17 - Christmas Taster Menu - 11am - 10pm

31.12.16 & 1.1.17 - New Year's Eve Celebration - 12pm - 1am on 31.1.17

14.4.17 - 20.4.17 - New Easter Menu - 12pm - 10pm each day

28.4.17 - 1.5.17 - May Day weekend menu - 12pm - 10pm each day

26.5.17 - 29.5.17 - Bank Holiday weekend menu - 12pm - 10pm each day

6.7.17 - Aperitivo night sampling Italian wines (served with Italian food) - 12pm - 10pm

27.7.17 - Summer BBQ for an architectural practise - 12pm - 10pm

Menu's

The following pages are examples of both the day and evening menus.

CANAL NO. 5

BRUNCH 9AM - 4PM

Mixed berries, yogurt, granola, honey.....	6.00
Smashed avocado on sourdough, mixed seeds, poached eggs.....	7.50
Toasted brioche, pan-fried mushrooms, poached eggs.....	7.50
Scrambled eggs on a toasted muffin, chorizo or smoked salmon.....	8.50
Full English - Sausage, bacon, mushrooms, homemade beans, poached eggs, sourdough.....	11.50
Full Veggie – Halloumi, avocado, mushrooms, homemade beans, poached eggs, sourdough.....	11.50

ADD ON with main course only

Bacon.....	2.50	Smoked salmon.....	3.50
Chorizo or sausages.....	3.00	Smashed avocado.....	3.00

LUNCH 12 NOON - 4PM

Strawberry, goats cheese, elderflower.....	6.50
Vegetarian mezze – hummus, feta, tomatoes, black olives, rocket, sourdough.....	9.00
Fishcake, gribiche, baby gem & radish salad.....	8.50
Flamed mackerel, cucumber, apple, buttermilk, new potato salad.....	8.50
Open crayfish sandwich on sourdough.....	8.50
Lamb rilette, sourdough toast, gooseberry.....	6.50
Steak sandwich, burnt pepper salsa, salad.....	8.50
Chicken, bacon, avocado, spinach, radicchio & chicory salad.....	9.00

DESSERT

Strawberry & tarragon Eton not mess.....	5.50
--	------

All food is cooked fresh to order so at busy times there may be a short wait

CANAL NO. 5

Strawberry, goats cheese, tarragon, white wine vinegar

Duck ham, pickled baby veg, walnuts

Pork belly, apple, Japanese leaves, chilli

Hake, lentils, hazelnut

Panisse, artichokes, tomatoes, pine nuts, ticklemore

Apricot, orange blossom, cardamom, pistachio

Chocolate and sea salt tart, caramel sauce, blow-torched banana

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:

Canal Number Five Cafe, The Pumphouse Cafe at City Road Lock, St Peter's Street, Islington, London, N1 8PZ

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

The cafe ~~is~~ sits directly on the lock side and is very busy with bikes, pedestrians and mothers with buggies. So not a very good advert of someone having too much to drink falling in the canal while climbing on the lock-gates.

Crime and Disorder

As there is no street entrance to the cafe the people have to use the towpath to go home. There is enough disorder already on the lock without encouraging more with people who have been drinking alcohol.

COMMERCIAL LICENSING
4 AUG 2017
PUBLIC PROTECTION DIVISION
322 UPPT

Protection of Children from Harm

Hanover School playground backs directly onto the said premises. So because most of the drinking will take place outside as inside is very small, smoking and drinking alcohol during school time is what lots of parents would not want

Public Safety

I live on the Lock-side and when they have their private parties & people sit out on the Lock. So if serving drinks increases the amount of people it's an accident waiting to happen

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:

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:



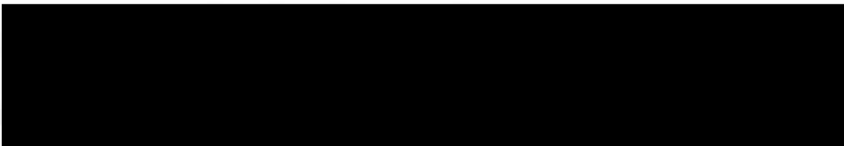
Date:

3-8-17

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


 To
 Licensing service
 London Borough of Islington
 3rd Floor
 222 Upper Street
 London N1 1XR
 By email to [licensing @islington.gov.uk](mailto:licensing@islington.gov.uk)

15th August 2017

Re CANAL NUMBER 5 CAFÉ, THE PUMPHOUSE CAFÉ AT CITY ROAD LOCK, ST PETER'S STREET,
 ISLINGTON LONDON N1 8PZ

Ref WK/170022258

We write as residents to oppose this application.

1. Public nuisance.

- 1.1 The area of this current coffee shop which operates on public land is in a sensitive area both environmentally and in terms of its position on the canal. The towpath in the area should and can be a tranquil city centre resource. In the summer months there is considerably more activity on the towpath and currently the area hardly manages to contain the noise and nuisance element.
- 1.2 There are many stakeholders currently competing for this precious space. The wildlife is fragile and the canal is an inner city wildlife centre and represents a corridor for birds, bats (bat nests only 100 metres away on the canal - the canal is a designated Bat Corridor), wildfowl (primarily swans, coots, moorhens and geese) and small wild mammals. This step-change intrusion in retail activity will be a tipping point for harm to the environment and other public nuisance as detailed below.

The other stakeholders include the local community comprising at least the following:

- Noel Road residents
- Crystal Wharf residents
- Canal Cottages residents
- Hanover School
- the residents of The Bridgeside Lodge care home
- the Islington Boat club
- the Regents Canal canoe club
- Islington Narrowboat Association
- walkers and cyclists
- fishing enthusiasts
- the many canal boats parked both short term and long term and

canal boats passing through the lock throughout the day and evening.

Some of these residents and other stakeholders live or carry on their activities within yards of the site.

- 1.3 It will be seen that the immediate vicinity is not any ordinary public space. Rather it is a specially loved and much used resource without equal in the south of the borough. The immediate area of canal, towpath and water basin is teeming with community activity and the applicant's site unfortunately is at a bottle-neck situated as it is at the lock. Indeed in the summer months many people congregate on the canal side at City Road lock such that it is already from time to time an over-used space which has to be supervised by the authorities.
- 1.4 The site is close to Cumulative Impact Areas ("CIA's") both at the Angel and by City Road. There is a primary school and a Care Home and considerations similar to those involving CIA's should be in place for this canal site. Food and drink are already available during the proposed hours at the Plaquemine Lock bar, the Narrowboat, the Island Queen and the Earl of Essex, all within a minute of the site; in a further minute there is access to food and drink at the Charles Lamb and the Duke of Cambridge. What contrasts those establishments from the applicant's site is that they are all purpose-built sites with a long history of sale of alcohol. The applicant's site is a shed which cannot make a return on investment without having most of the customers outside by the canal.
- 1.5 At present the owners of the café have a small indoor seating area and no less than 24 seats (with tables) outside in front of the café and 24 seats with tables outside at the side of the café. This recent increase in covers is assumed to be what the applicants will wish to service with food and alcohol, presumably to make the new café/bistro viable. This is far too much use of the narrow tow path area which will lead to public nuisance in at least the following ways:
 - Overcrowding of the towpath at busy times (early and mid-evening Monday to Sunday from May to September).
 - Noise levels that are unacceptable to a broad range of local residents. There is a combination of walls (to reflect sound) and open water (to transmit sound). Evidence of nuisance noise is provided by a party held at the site in July which itself caused concern to us and other residents in noise terms. There have been other parties in the past with similar results. This is to be distinguished from the normal café day time opening hours which are acceptable to us provided no alcohol is served.
 - Noise at the end of the day (up to 8.30 pm after 30 minutes drinking up time) when people leave after eating and drinking. Many are likely to congregate around the lock even after the bistro is closed. Because this application appears to be for a mainly al fresco bistro there will be little the management

will be able to do to control the noise. We understand the management of the existing café have been asked on a number of occasions to reduce noise and of course the noise levels from up to 48 people eating and drinking outside up to 8.30 pm (including drinking up time) 7 days a week must be significantly greater.

- Noise and pollution from waiting taxis on the bridge at Danbury street.
- Noise from putting out and collection of bottles and refuse and storing all outside furniture. It appears that at present there is no formal arrangement for waste collection which is left in plastic bags by the sheds for collection by Islington Council when emptying the litter bin on the canal. At present these plastic bags are from time to time thrown into the canal by vandals.
- Deliveries to the existing café appear to be taken by hand onto the canal towpath at out of business hours causing disturbance to residents. This is likely to get worse.
- Smells from cooked food up to 14 hours per day.
- Smoking on the canalside as bistro guests dine al fresco from 11am to 8pm plus drinking up time. There is already litter from cigarette ends and this alone will be much increased.
- Because of noise levels local residents on both sides of the canal will need to keep their windows closed on hot summer nights. This commercial application is literally "in the face" of the local community and of the values inspired by Crystal Hale (whose garden, ironically backs on to the canal a few yards from the applicant's site).
- It is not clear whether the bistro will have enough toilets to service a fully booked customer requirement of 50 or more people and insufficient facilities will tend to mean that the nearby nooks and crannies will be used.

2. Public Safety

There are large gas cylinders unprotected in the side seating area. We would question whether this is safe.

3. No doubt the Council will check whether the current permitted opening hours for the site are extended to 20:00 under this proposal, without applying separately for permission to extend.

- In summary the proposed application is for a use too far for a fragile canal environment and should be rejected.
- There is no recent history of retail on the canal, at least in this area.

- The canal area here is fully used by local non-commercial community interests (school, care home, charity water activities, fishing, walking, jogging and residential) and it is wrong in principle and incompatible with these community activities to allow this step-change commercial development of outdoor dining, which should be kept in purpose-built premises in a restaurant area. The application is therefore mis-placed.

15 August 2017

Dear Licensing,

please see the below objection to the premises license application for the cafe on the canal towpath, which is in my ward. The application worries me, in that the area is quite tranquil, and a full-blown drinking establishment in this location doesn't seem entirely appropriate to me. I am also concerned that the applicant appears to be applying for longer hours than he has planning permission for, which is obviously an issue. And there is also something of a history of nuisance arising from various events held at the premises under TENs, which suggest that the applicant is not particularly good at managing the premises.

I would ask that you, and/or whichever committee members hear this application take the trouble to visit the site in the early evening, and see for yourselves how the premises are situated, and try and gauge the likely impact of the hours and permission being sought. And also, please check the planning situation.

Many thanks in advance for your attention to this particular application. Please feel free to call me if you wish to discuss this further.

Kind regards,

Martin

Cllr Martin Klute

Labour member for St Peters Ward

Chair: Health and Care Scrutiny Committee

Chair: Planning Sub-Committee A

Vice-chair: Joint Overview Health Scrutiny committee for North Central London

twitter: @martinklute

blog: <http://cllrmartinklute.blogspot.co.uk/>

Appendix 3

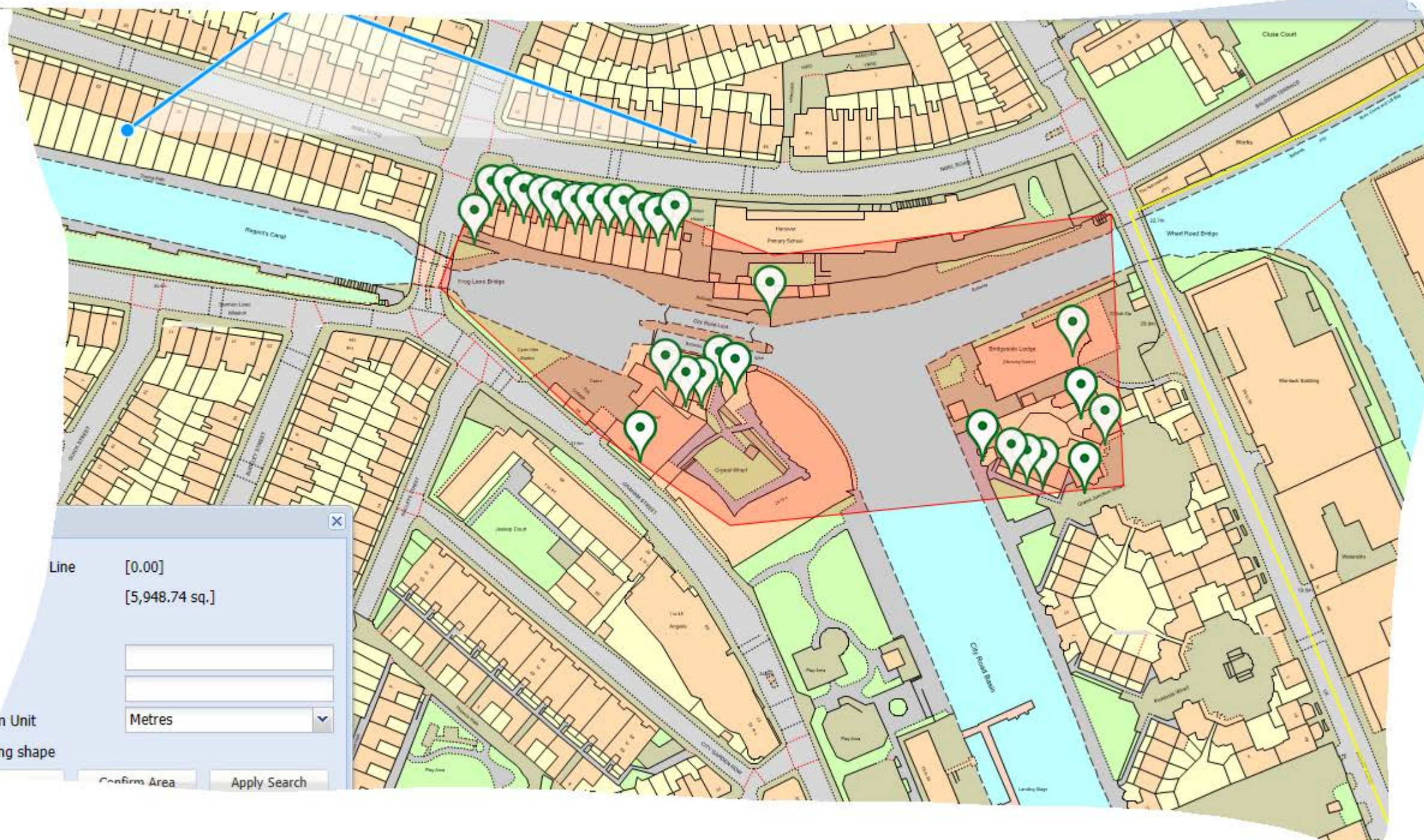
Conditions of approval as per operating schedule

1. Alcohol will only be sold to customers who are eating food purchased at the premises.
2. Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Training will be documented & made available to the Police & authorised officers of the council upon reasonable request.
3. A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.
4. A register of refusals of alcohol will be maintained at the premises. The register shall be examined on a regular basis by the duty manager/ DPS and the date and time of each examination will be endorsed in the register. The register will be made available for inspection by the Police and other authorised officers of the council upon reasonable request.
5. An incident register will be maintained at the premises and made available to the authorities on request.
6. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
7. Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
8. The outside areas will be continuously monitored by staff for any nuisance or noise. Any person who may be the cause of disturbance to local residents will be dealt with appropriately by staff and an entry will be made in the incident register.
9. The outside seating areas will be closed to customers from 2145 hours.
10. The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25 they will be asked for proof of their age, to prove that they are 18 years or older.
11. The only forms of identification that will be accepted at the premises are a passport, UK photo-card driving licences, & cards bearing the 'PASS' hologram.

Conditions of approval as suggested by Council's Noise Team

12. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
13. 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.
14. Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating entertainment is taking place i.e. live and recorded music or amplified voice.
15. Bottling out from the premises is prohibited between 20:00 hours and 08:00 hours
16. No vertical drinking
17. In the event of a noise complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.
18. The delivery of licensable goods shall be restricted to the hours between 09:00 and 19:00 Monday-Saturday. No deliveries shall be made on a Sunday or Bank Holiday.

1. Noise and/or odour from any flue used for the dispersal of cooking smells serving the building shall not cause nuisance to the occupants of any properties in the vicinity.
2. Noise from plant machinery shall not cause nuisance to the occupants of any properties in the vicinity.
3. Exterior lighting shall be directed away from residential properties.
4. Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his/her meal with the exception of up to 6 persons in a designated area waiting to be seated
5. No drinks shall be permitted outside on the terraces after 19:30. After that time a maximum of 6 smokers shall be permitted to step onto a designated smoking area on one of the terraces.



Line [0.00]
[5,948.74 sq.]

Metres

Confirm Area Apply Search