

**The Covered Market, 20 and 22 Seven Sisters Road and Hertslet Road, Holloway,
London, N7 6AG**

Statement in relation to Islington's Cumulative Impact Policy

Introduction

The premises, The Covered Market, falls within the Holloway Road and Finsbury Park cumulative impact area where there is a rebuttable presumption not to grant new premises licences unless the application can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. The policy includes guidance on possible exceptions to this policy.

This document details how this application has considered the Islington Licensing Policy and how should the application be granted the premises will not add to the cumulative impact of Holloway Road and Finsbury Park. This information is already within the application as evidenced by the correspondence and conditions offered but it is set out in this document for completeness.

This document shows that the application has been carefully drafted with the Islington statement of licensing policy and cumulative impact in mind.

It is the experience of the operators who have run similar operations in particular "Mercato" in Elephant and Castle that the type of restaurant and bar activity proposed will not draw customers into the area but rather will attract customers who would have patronised other premises (in particular the nearby local pub) and will provide a different food offer for local residents including families and those already in the area.

In terms of the specific matters set out in the Islington Statement of Licensing Policy the Applicant respectfully refers to sub committee to the following matters:

Possible exceptions to the Holloway and Finsbury Park Cumulative Impact Policy

A) Premises that are not alcohol led:-

The primary objective of the premises is the provision of food. The vast majority of customers will be there to eat.

The premises will contain a street food market on the mezzanine level. There is also a ground floor offering with food available at all times within the small area on the ground floor.

The mezzanine level will have several different types of cuisine available. This will be the main focus of the operation and the applicant would expect customers to come to The Covered Market to eat. The drinks available include products such as fruit smoothies and compliment the comprehensive range of street food on sale.

Food is to be provided by independent operators, offering various cuisines, all promoting their culture through food, alcohol and non-alcoholic drinks.

The alcohol will be sold at a comparatively high price point throughout the premises when compared to alcohol led premises such as pubs. This will deter people from coming to the premises to binge drink and is consistent with the food led business model. Those interested in more excessive alcohol consumption will inevitably attend alcohol led premises.

It is plain that the premises will not succeed unless the operation is food led. On any view this is not an alcohol led operation.

Premises with hours of operation consistent with framework hours:-

The hours proposed are for the various licensable activities proposed either within or less than framework hours.

The proposed hours for the premises are as follows:-

Supply of Alcohol (On Sales)

Sunday to Thursday: 10:00 hours to 23:00 hours

Friday and Saturday: 10:00 hours to 00:00 hours

Supply of Alcohol (Off Sales)

Monday to Sunday: 10:00 hours to 20:00 hours

Late Night Refreshment

Sunday to Thursday: 10:00 hours to 23:30 hours

Friday and Saturday: 10:00 hours to 00:30 hours

Opening Hours

Sunday to Thursday: 08:00 hours to 23:30 hours

Friday and Saturday: 08:00 hours to 00:30 hours

These hours are in line with Islington's framework hours. In relation to off-sales our proposed hours are less than Islington's framework hours. The proposed hours have been reduced during the consultation period due to representations raised the licensing authority and residents. The applicant has taken on board all representations raised and has amended the hours for licensable activities so they are well within Islington's framework hours and therefore, not adding to Holloway and Finsbury Park Cumulative Impact area in this regard.

B) Premises providing live music and other cultural activities:-

The application as originally drafted included a request for regulated entertainment. We have removed this following concerns expressed from local residents.

The premises will none the less provide services for the whole of Islington's diverse community, the street food market will have a number of different cuisines available catering for many different cultures.

Within Islington's Core Strategy document dated February 2011, there is a section regarding the Spatial Strategy for the Nag's Head and Upper Holloway Road (see document 1 attached). At point 2.4.5 it states that 'potential development opportunities within Nag's Head do exist and will be important to help increase the retail offer and meet demand. A need has also been identified for more family friendly evening functions (such as restaurants) within the town centre, particularly for families and young people.'

The Covered Market is aiming to cater for all cultures and in particular expects that the street food market will be used by families for lunch and early dinners. (See document 2 attached).

In relation to point 2.4.5 of the Spatial Strategy these premises will most certainly be increasing the retail offer as there will be at least 17 different food units within the premises offering different types of cuisine. This falls squarely within Islington's Core Strategy in the area. This ties into the exception to the cumulative impact policy. This is further evidence that the premises are not alcohol led (see A above).

C) Premises implementing match and event day controls in Licensing Policy 15 where recommended by Police or Licensing Authority:-

The application fully complies with this exception.

Following consultation with Islington Police Licensing, prior to submission of the application, the applicant added the conditions set out below, to the operating schedule in relation to match and event day controls:-

On days when Arsenal Football Club are playing home matches the start time for the sale of alcohol should be 10am on Monday to Saturday and 12 midday on Sunday, unless otherwise agreed with the Police.

Unless otherwise agreed with the police on days when Arsenal Football Club are playing home matches and between the times commencing 4 hours before the advertised start of the game and until 1 hour after the game finishes alcohol may not be sold in glass containers for consumption either on or off the premises, save for in an area set aside.

For the sake of clarity Arsenal Football Club means the male adult first team.

On days when Arsenal Football Club are playing at home:

a) There shall be a minimum of one personal licence holder on duty at the premises whilst open for licensable activities.

b) There shall be a minimum of two SIA licenced security staff of duty at the premises whilst open for licensable activities; said members of SIA staff shall be clearly identifiable, in every case wearing suitable high visibility clothing and with SIA accreditation clearly and openly displayed.

c) A risk assessment shall be undertaken by the management to consider the need for the prohibition of alcohol sales in glass containers at any time during that matchday; said assessment will take account of any advice offered by the police and security company engaged to provide door staff at the premises in relation to that particular game as well as the licensees own knowledge of the profile of any persons likely to attend the venue during that matchday.

These conditions are in line and comply with Licensing Policy 15.

In summary, this application falls within the possible exceptions to the Holloway and Finsbury Park cumulative impact area due to the following factors:-

1. The premises is not alcohol led;
2. The proposed hours are in line with Islington's framework hours and in particular the off-sale hours are less than Islington's framework hours;
3. The whole ethos of the premises being at least 17 different cuisines, providing a street food market feel is aimed to provide a service to the many different cultures within this diverse borough;
4. In line with clause 2.4.5 of the Spatial strategy of Islington's Core Strategy the premises will increase the retail offering in the area and in particular will offer more family friendly evening functions for the whole community;
5. Following consultation with Islington Police Licensing Officer the applicant has added the event and match day controls in line with Islington Licensing Policy 15.

OTHER POLICY CONSIDERATIONS

In addition to the above, the mezzanine level of The Covered Market is currently underused land within Nag's Head. Policy CS 3 of Islington's Core Strategy document dated February 2011 (see document 3 attached) which highlights that Islington should encourage development of underused land to maximise opportunities to provide new retail premises where possible along with employment uses.

For the reasons stated above and in line with Islington's Licensing Policy and Islington's Core Strategy, the application complies and falls within the requirements of these policies. The Nags Head Town Centre is identified as an area which would benefit from this opportunity to provide cultural diversity through the food and drinks provided. The premises will need to be staffed by at least 30 people. Each operator will provide their own different type of cuisine and will provide their own staff at The Covered Market and will be incentivized to recruit locally, for example, the proposed pizza unit will employ at least 7 staff themselves. This is further evidence that the premises could not survive unless food led.

The premises is providing new retail offers within the mezzanine level and the ground floor level, along with providing more employment opportunities. This application is not adding to the Cumulative Impact Area of Holloway and Finsbury Park however, it is assisting with

Islington's Core Strategy and the development which is required for the Nag's Head Town Centre In Islington's Core Strategy.

Documents:-

1. Islington's Core Strategy document dated February 2011, Spatial Strategy for the Nag's Head and Upper Holloway Road;
2. Further Details relating to the Application;
3. Islington's Core Strategy document dated February 2011, Policy CS 3.

2 Spatial strategy

2.4 Nag's Head and Upper Holloway Road

- 2.4.1** The Nag's Head is a busy and vibrant major town centre offering a variety of shops and services. Nag's Head has historically developed along the A1, Holloway Road, a heavily trafficked route passing through the centre of the borough linking London with the North of England. The town centre has a large number of architecturally and historically interesting buildings including a variety of styles from Victorian, through to post-war period. Part of Holloway Road is designated as an Archaeological Priority Area, with conservation areas along and adjacent to Holloway Road.
- 2.4.2** Camden Road is a strategic road for London managed by Transport for London. It is a busy road but predominantly bordered by residential areas. Many of the buildings along the road are set back and do not face the road resulting in large stretches of inactive frontage lacking the security of 'passive surveillance'.
- 2.4.3** A town centre strategy for Nag's Head was adopted as a supplementary planning document in May 2007. This document puts forward a vision for the future of the town centre, and identifies opportunities for its improvement through its land uses and management. This guidance will remain in place after the Core Strategy is adopted. As well as Nag's Head, the area identified by the Core Strategy includes the stretch of Holloway Road towards Archway adjacent to Upper Holloway rail station. Although not part of the town centre, this stretch of Holloway Road faces similar challenges of being divided by the busy A1 road, as well as providing further important employment and residential functions which contribute to the area.
- 2.4.4** There is currently a poor physical environment along Holloway Road. The road itself creates a major barrier dividing the town centre. The amount and speed of traffic create an unsafe environment for pedestrians and act as a barrier to investment. Links across the A1 are encouraged as part of the *A1 Borough Strategy* to 'stitch' together the east and west sides of Holloway Road. This area also suffers from a distinct lack of green space and narrow footways which become congested. Improving the environment for pedestrians is therefore a priority. Opportunities for inclusion should be maximised, utilising the town centre's accessibility and topography to further increase use by disabled people.
- 2.4.5** The town centre already provides a great variety of goods and services. Potential development opportunities within Nag's Head do exist⁽⁹⁾ and will be important to help increase the retail offer and meet demand. A need has also been identified for more family friendly evening functions (such as restaurants) within the town centre, particularly for families and young people⁽¹⁰⁾. Developing these will contribute to a safer environment in the evening and expand the evening economy.
- 2.4.6** The council will seek to improve and increase the retail offer within Nag's Head.
- 2.4.7** The council's strategy for this key area over the lifetime of the plan is set out below:

9 Identified in the town centre strategy

10 Nag's Head Town Centre Strategy, 2007

Policy CS 2

Finsbury Park

A. Finsbury Park is a district town centre with main retail frontages along Fonthill Road, Stroud Green Road, Blackstock Road and Seven Sisters Road. The Development Management Policies development plan document will define the town centre area and contain detailed policies for managing development within shopping areas.

B. Redevelopment of low density employment sites around Finsbury Park station is supported to provide mixed-use developments of housing, employment (office, light industrial, storage and distribution), retail and leisure. Loss of some storage and distribution floorspace on these sites may be acceptable if re-provided by intensified use of surrounding sites. These sites will provide between 500-700 units of housing.⁽⁸⁾ Self-contained conventional housing and employment uses will take priority over other uses above ground floor in this area.

C. New developments near the station will be planned to facilitate an improved, less confusing, transport interchange location and high quality public realm together with enhanced permeability.

D. Permeability and legibility of the wider area, including areas within housing estates, and access to Finsbury Park will be improved through a combination of site redevelopments and small scale interventions linked to a public realm strategy. Joint work with Transport for London will be undertaken to improve the pedestrian environment along Seven Sisters Road. These interventions will focus on creating an environment which increases people's sense of personal safety.

E. There will be improved walking and cycling routes through Finsbury Park area to Highbury Corner, and from Highbury Fields to Caledonian Park, to encourage walking and cycling for local residents, London Metropolitan University students and visitors to the Emirates (Arsenal) Stadium.

F. The historic character of the area will be protected and enhanced with high quality design encouraged so that it respects the local context of Finsbury Park and its surroundings.

8 The housing figures quoted in the key areas policies will make the major contribution to the overall borough housing target set out in Section 3.3. Smaller scale developments outside the key areas will also play a part in meeting the housing targets.

Application for Premises Licence
Nag's Head, Covered Market, Seven Sisters Road

1. A list of conditions which will attach to the premises licence if granted.
2. We have removed live and recorded music from the application.
3. The premises licence hours have been amended as set out below. Please note the off sale of alcohol is only permitted until 20.00 hours, Monday to Sunday inclusive.

Supply of Alcohol (On Sales)

Sunday to Thursday: 10:00 hours to 23:00 hours

Friday and Saturday: 10:00 hours to 00:00 hours

Supply of Alcohol (Off Sales)

Monday to Sunday: 10:00 hours to 20:00 hours

Late Night Refreshment

Sunday to Thursday: 10:00 hours to 23:30 hours

Friday and Saturday: 10:00 hours to 00:30 hours

Opening Hours

Sunday to Thursday: 08:00 hours to 23:30 hours

Friday and Saturday: 08:00 hours to 00:30 hours

In relation to other matters raised in the representations we can confirm as follows:-

Public Nuisance

1. We have withdrawn the application for live and recorded music. In the circumstances, our appointed acousticians confirm that since this is no longer proposed as part of the application the concerns regarding music noise are no longer valid. Given that music is no

longer proposed as part of the application the concerns regarding music noise have now been dealt with, as there will be no music escape from the premises. This will be evidenced by the acousticians report, which is attached.

2. There is concern regarding refrigeration units inside the premises and these causing a noise nuisance. All refrigeration units will be inside the premises. These are compact and there will be no units whatsoever outside the premises in relation to refrigeration. Again, the applicant has consulted in relation to this and there is no noise escape from the refrigeration units which could disturb neighbouring properties.
3. Please note there is a condition agreed with the Environmental Health Team Officer for Islington, condition 21, which reads as follows ***Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties***. The conditions in relation to live and recorded music have been agreed with the Environmental Heath Noise Team Officer and these are in relation to any proposal for recorded and live music. As we have withdrawn live and recorded music, this is now irrelevant.
4. Air conditioning equipment associated with the operation will require a formal planning approval. This will in turn necessitate an acoustic assessment being undertaken to the nearest residential properties from all equipment operating simultaneously. The local authority will not discharge any condition relating to the use of plant until such time as it has been demonstrated that noise from this equipment is controlled to noise levels which are lower than the prevailing noise climate.
5. There is a concern that there will be food left around the premises. This has also been dealt with by condition 31, which reads as follows ***The DPS shall ensure that the curtilage and adjoining highways are cleared of any litter, glass and bottles caused by patrons of the premises***. The applicant and their team will ensure that the area around the premises is swept and cleaned each evening when the premises closes.
6. With regard to the concern of cooking odours, again this will be dealt with by extraction and this will go straight up from the premises. This will of course be within all the food safety guidelines and planning permission will not be granted for the extraction unless it can be shown that this will not cause a nuisance to nearby or neighbouring properties.
7. Also in relation to food waste and fats from the premises, this will all be dealt with by the Waste Management Company, which the applicant will retain. We attach the link of the firm

which deals with the waste in a way that is bio-degradable and will not have an impact on the surrounding amenities and properties.

<https://www.olleco.co.uk/>

8. In relation to car parking, we do not anticipate that customers will visit the premises by car. Our customers will generally be local people and students who will travel to the premises by foot or by public transport.
9. Please note there was great concern that these premises would be a nightclub. This was never the case, this is a food hall and as such the applicant has removed live and recorded music from the application. This cannot trade as a nightclub.

Crime and Disorder

1. Reference is made in the representations to thefts of alcohol from the premises. Please note there will not be any alcohol on display such as in a supermarket for people to be able to steal easily.

Alcohol will be stored behind the counter of each of the food units where customers will not be permitted access.

The applicant is very happy to add an additional condition as follows:-

There shall be no self-service of alcohol at the premises.

2. In relation to the running of the premises the applicant will have the following people on site at all times:-

Sunday to Wednesday

Ground Floor

1 Bar Staff

1 Floor Service Staff

1 Duty Manager (supervising ground floor and first floor at all times)

First Floor

2 Bar Staff

2 Service Staff

1 Duty Manager (supervising ground and first floor at all times)

Thursday to Saturday

Ground Floor

1 Bar Staff

1 Service Staff

2 Duty Managers on duty at all times (supervising ground and first floor at all times)

First Floor

2 Bar Staff

3 Floor Service Staff

2 Duty Managers on duty at all times (supervising ground and first floor at all times)

At least 1 SIA Door Supervisor after 21.00 hours on Thursday when the smoking area is in use

At least 1 SIA Door Supervisor after 21.00 hours required at all times on Friday and Saturday

You will see that the applicant takes the running of the premises and the safety aspect of all the residents seriously. It is felt that having SIA security on the busy evenings and members of staff the whole of the time the premises is open visible, certainly at the entrance to the market off Hertslet Road, is of great benefit to the area. This would deter persons who are coming to take drugs and drink in the area by the car park, providing a much safer environment for the residents. It is certainly of benefit to have people patrolling the area who are visible, which will deter people carrying out acts of crime, drug taking and drunkenness, which are not currently monitored.

3. As explained in the meeting there will be a number of small food operators within the Food Court on the first floor of the premises. There will be an area in the centre of the first floor where people can sit down and eat their food and have their drinks with their friends and colleagues. The area is continually patrolled and the people running the food units will be trained in the licensing laws. We anticipate that a person will be able to move from one unit to the other, it will be very clear if they are incapacitated. The people running the food units will not serve customers who are intoxicated as this is also a breach of the mandatory conditions which will be added to the premises licence if granted.

Protection of Children from Harm

1. The food hall offers a range of different cuisines. It is hoped very much that it can be used by families for lunch and an early dinner. The applicant is very happy to add an additional condition as follows: ***That children are not permitted on the premises after 20.00 hours unless they are accompanied by an adult.*** These will be properly run premises with strong and affective management. This applicant already runs the premises at the Mercato Metropolitano in Elephant & Castle and has never experienced problems in relation to children. The staff are fully trained and children will not be permitted to be on the premises after 08.00 p.m. without an accompanying adult.
2. The premises must operate a Proof of Age Scheme, such as Challenge 25 at all times. No one is permitted to be served alcohol unless they provide identification on site. They will be challenged if the person appears to be less than 25 years of age.

Public Safety

1. As has been referred to in relation to crime and disorder these will be well run and managed premises and there will be a visible presence of both SIA staff at the weekends and management staff. We believe this will make the area safer.
2. It is important to note that all persons entering or exiting the premises will have to do so through Seven Sisters Road after 08.00 p.m. There will be no reason for them whatsoever to travel to Hertslet Road, as there are no travel links in that direction.

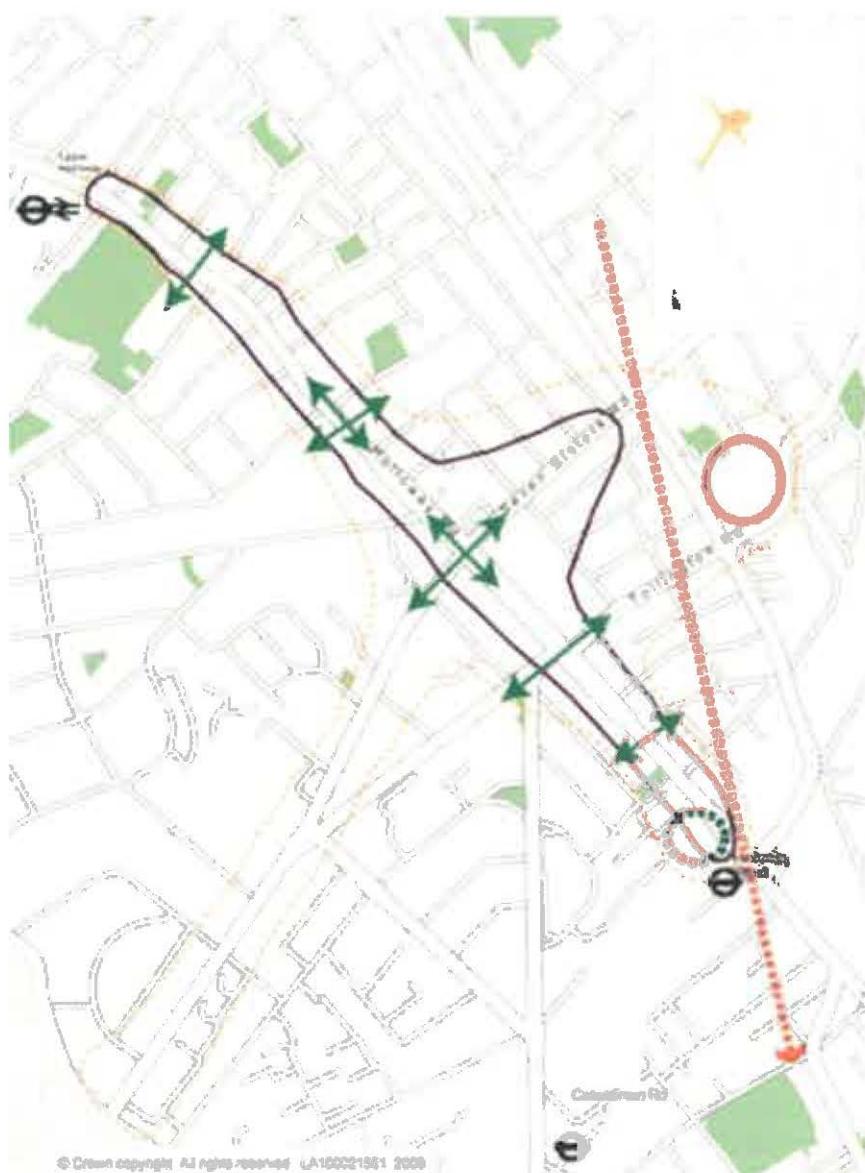
2 Spatial strategy

Policy CS 3

Nag's Head and Upper Holloway Road

- A. Continue to focus and promote a mix of retail opportunities along the main 'high streets' of Holloway Road and Seven Sisters Road to provide a better range of shops. The permanent and event-focused markets in the town centre will continue to play an important part in the retail offer. The existing town centre boundary will be extended along Holloway Road and Seven Sisters Road. The Development Management Policies will define the town centre boundary, mix of uses, and related frontages policies specific to the Nag's Head.
- B. Encourage development of underused land within Nag's Head, to maximise opportunities to provide new retail premises where possible, along with other employment uses. Some opportunities exist for residential development above existing retail uses. Opportunities will be identified in the Site Specific Allocations.
- C. Improvement of the public realm to enhance the environment for pedestrians and cyclists is a key priority to reduce the negative impact of the significant traffic flow. The streetscape will be improved, making it less cluttered, more inclusive, attractive and safer, with increased safety of access to the Sobell Leisure Centre. Better links will be encouraged across the busy Seven Sisters Road, Tollington Road/Isledon Road gyratory systems, and Holloway Road, and, if feasible in the long term, the gyratory system will be removed. In addition, opportunities for greening this corridor will be maximised through planting, green roofs and enhancement of existing open spaces. The historic environment should be used as an asset when developing improvements to the public realm.
- D. Maintaining and enhancing the provision of employment spaces, including those along Holloway Road towards Upper Holloway station, will be important in contributing to the diversity of the local economy and providing opportunities for small and medium businesses, capitalising on all key transport links.
- E. A supplementary planning document will be produced to create a masterplan for future development along Camden Road and the adjoining area to improve the urban design of the area and create a better pedestrian environment.
- F. The educational institutions in this area (London Metropolitan University and City and Islington College) will continue to play an important role in contributing to the local economy.
- G. Opportunities for evening economy and leisure activities within Nag's Head Town Centre will be encouraged to complement existing leisure and retail uses.
- H. The historic character of the area will be protected and enhanced, with high quality design encouraged within the town centre and along Holloway Road through a supplementary planning document.

Map 2.4 Nag's Head key area



Key

-  Key area
-  Priority area for environmental and public realm improvements
-  Open space enhancement opportunity
-  Views to St. Paul's Cathedral
-  Improved pedestrian links
-  Leisure centre refurbishment

2 Spatial strategy

I. Links will be encouraged between the town centre and Arsenal (Emirates Stadium), to contribute to the wider commercial and tourism opportunities in the area.

2 Spatial strategy

2.5 Highbury Corner and Holloway Road

- 2.5.1** Highbury Corner and the Highbury and Islington station mark the transition from Upper Street to Holloway Road on the A1. Highbury Corner has been a hub for public transport since the early 19th century, and continues to be so. The area has also retained much of its historical character and is covered by a number of conservation areas, listed buildings and heritage assets such as the Union Chapel.
- 2.5.2** Highbury Corner is a busy traffic island with a poor pedestrian environment. The station entrance is hidden behind a post office building and the pavements leading from the station are congested. The East London Line extension will improve connections with Dalston, Canary Wharf and south London when it becomes operational in 2011. A few minutes walk from the station is Highbury Fields, Islington's largest open green space.
- 2.5.3** A council objective, in partnership with Transport for London, is to deliver major improvements to the roundabout at Highbury Corner to ensure that it is less dominated by motorised traffic and to improve the station facilities. In addition, any redevelopment along the Highbury end of the Holloway Road will be expected to improve the design and quality of the built environment.
- 2.5.4** In the north of this area is Holloway Road station, around which the pedestrian environment remains poor and the building quality is variable. Holloway Road station is near to the Emirates (Arsenal) Stadium and London Metropolitan University's main campus. The university is a major employer in the borough and important for Islington's and London's future economic success. The council will work with the London Metropolitan University as it seeks to rationalise and redevelop its core estate on Holloway Road to ensure that this continues to meet its operational needs.
- 2.5.5** The council's strategy for this key area over the lifetime of the plan is set out below: