

Report of: Service Director, Public Protection

Meeting of:	Date:	Ward(s):
Licensing Sub-Committee - B	15/09/2020	Finsbury Park

	Exempt	Non-exempt
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**SUBJECT: PREMISES LICENCE NEW APPLICATION
RE: COMMON GROUND, 49 STROUD GREEN ROAD,
ISLINGTON, LONDON, N4 3EF**

1. Synopsis

1.1 This is an application for a new premise licence under the Licensing Act 2003.

1.2 The new application is to allow:

- The sale of alcohol, which may be consumed on the premises, and recorded music from Monday to Wednesday from 12:00 until 17:00, on Thursday and Friday 12:00 until 22:30, on Saturday 09:00 until 22:30 and on Sunday from 09:30 until 17:00.

2. Relevant Representations

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

Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 3
Other bodies	Yes: local business

3. Background

- 3.1 This is a new premises licence application for a new premises licence. The application has received three representations from three local residents and a local business.
- 3.2 The applicant has agreed conditions with both the Police licensing team and the Council Noise Team.
- 3.3 The applicant has provided an e-mail in response to the representations which is included after the representations as Annex 3 in the report. The applicant has also submitted a supporting letter as part of their submission at Annex 3.
- 3.4 The application was originally listed for the 11 May 2020 but was adjourned due to issues with planning consent set out in section 4.
- 3.5 Both the applicants and the interested parties have been invited to submit updated documentation since 11 May 2020. This will be presented as a second dispatch prior to the hearing.

4. Planning Implications

- 4.1 Prior to September 1st 2020 there was an issue with the planning that they had been lawfully A1 (retail including coffee shop) but may have gone over into A3 (Café/Restaurant). However, under the new use class system starting 1st September (and running in tandem with the old one for a year), both A1 retail and A3 café are in the same 'E' use class.
- 4.2 There are no planning conditions or restrictions on the land and therefore planning consent would not be required, under the new system, to change the use from A1 (retail/coffee shop) to A3 café/restaurant.

5. Recommendations

- 5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 5.2 These premises are located in the Holloway Road and Finsbury Park Cumulative Impact Area therefore the Licensing Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.
- 5.3 If the Committee grants the application it should be subject to:

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

6. 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.

Appendices:

- Appendix 1: application form; plan, and policy document
Appendix 2: representations;
Appendix 3: Response to representations
Appendix 4: Suggested conditions and map of premises location.

Background papers:

None.

Final report clearance:

Signed by:



Service Director – Public Protection

Date

3/9/2020

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	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	CGApplicationforPremisesLicence	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	Lucy
* Family name	Jones
* E-mail	[REDACTED]
Main telephone number	[REDACTED]
Other telephone number	[REDACTED]

Include country code.

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant 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	10466074
Business name	Common Enterprises Ltd
VAT number	- 257083201
Legal status	Private Limited Company

If your business is registered, use its registered name.

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

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

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](#)

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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.

Common Ground is a coffee shop which serves light meals in Stroud Green near Finsbury Park. It's a unique unique, vibrant creative space to relax, commune with friends- an antidote to city life.

A premises license is sought to sell alcohol to accompany food as the limited table provision accommodating 26 seats.

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There would be no vertical drinking and alcohol would be served as food accompaniment only and as a limited ancillary offering

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

Standard Days And Timings

Continued from previous page...

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

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Licensed recorded music will be played indoors at an unamplified ambient level only, designed to create a convivial social atmosphere in which people can easily converse and chat

State any seasonal variations for playing recorded music

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

N/A

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

N/A

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

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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

TUESDAY

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...

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:30"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

N/A

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.

N/A

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

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

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.

N/A

Continued from previous page...

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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.

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

SUNDAY

Start

End

Start

End

State any seasonal variations

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

N/A

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.

N/A

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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)

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

- All staff will be trained in the responsible sale of alcohol, the prevention of under age drinking via ID check & verification and to not sell alcohol to anyone visibly intoxicated
- Record systems will be implemented to record any crime, drug-related incidents or refusals and these will be made available for the police or any other authorities to view at any time
- The primary purpose of the business is a coffee shop, so alcohol will be an ancillary service with no more than 15% of display space allocated to it
- Alcohol will only be served as an accompaniment to a light meal and will be ancillary to it
- There will be no off trade sales
- There will be no draught beer or cider on the premises
- There will be no spirit sales
- Alcohol will not be served before 12.00 on weekdays
- No alcohol will be served for consumption in front of the premises

b) The prevention of crime and disorder

- Drinks will be served for consumption on the premises, not outside the front
- There will be zero drug tolerance policy in force
- Alcohol will only be served as an accompaniment to light meals and will be ancillary to this main meal
- All staff serving alcohol will be trained to sell responsibly and will ask for ID to verify age for all those who look under 25
- There will be no drinks promotions outside of national guidelines
- Any waste that incidentally occurs outside the front of premises be disposed by staff as part of regular checks and close down procedures

c) Public safety

- All standard, existing health and safety policies and protocols will be in place during the period alcohol is served
- All fire and escape routes will be clearly marked and these will be maintained without obstruction
- Heat and smoke detectors are in place and are maintained by a competent person
- Fire safety equipment will be kept and maintained by a competent person
- A first aid kit will maintained on the premises by a competent person
- Valid public liability insurance will be in place at all times
- Records will be kept about public safety incidents as part of agreed health & safety policies and procedures

d) The prevention of public nuisance

- Noise and vibration will be kept to a minimum
- Recorded music will be played at unamplified, ambient levels and switched off half an hour before closure in the evenings
- All doors and windows of the premises will remain closed during evening opening hours
- There will be no live music or entertainment at the premises
- Nuisance or noxious smells will be minimal as only light cooking and reheating occurs at the premises; all bins will be kept clean and emptied regularly via agreed council waste service pick ups already in place several times a week
- No deliveries or disposals will take place in the evening after 6pm

Continued from previous page...

- A sign requesting customers leave quietly to respect residential neighbours will be placed prominently at the exit

e) The protection of children from harm

- A proof of age policy will be in place at all times will all customers who look under the age of 25 asked for ID to verify age by trained staff

- A register of refusals to serve will be maintained

- Children under drinking age will not be allowed on the premises after 21.00

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

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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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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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

DECLARATION

Continued from previous page...

[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

* Capacity

* Date / /
dd mm yyyy

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

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

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

IT IS AN OFFENCE LIABLE 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

OFFICE USE ONLY

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



Alcohol licence training

There are five basic conditions for sales of alcohol at Common Ground:

1. Follow the Challenge 25 age verification policy in relation to the sale or supply of alcohol. Individuals who appear to the Licensee to be under 25 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
2. Staff may not carry out, arrange or participate in any irresponsible promotions in relation to the premises. For example, games or other activities which require, encourage, or are designed to require individuals to drink a quantity of alcohol within a time limit, drink as much alcohol as possible, provide unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public, or provide free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol.
3. No alcohol may be dispensed directly by one person into the mouth of another - the so called 'dentist's chair' being the main example.
4. Ensure that free tap water is provided on request to customers at all times.
5. The following measures must be available – (a) beer or cider: a ½ pint; (b) gin, rum, vodka or whisky: 25 ml or 35 ml; and (c) still wine in a glass: 125 ml; and (d) in all cases, customers are made aware of the availability of these measures

To include once confirmed: clear instructions on permitted times for licenced music and alcohol sales

Conditions from Operating Schedule:

1. Staff have been trained to maintain incident logs for the following:
 - a. all crimes reported to the venue
 - b. all ejections of customers
 - c. any complaints received
 - d. any incidents of disorder
 - e. seizures of drugs or offensive weapons
 - f. any refusal of the sale of alcohol
 - g. any visit of a relevant authority or emergency service
2. To promote public safety, staff will call taxis for customers who require it
2. Staff will remind customers to be considerate of neighbours and passers-by if necessary
3. No off-site sale of alcohol
4. No glasses are allowed outside the Common Ground premises
5. Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be duly disturbed.
6. We operate a zero-tolerance policy towards illegal drug or other activity and anti-social behaviour. Staff must report any suspected or observed activity to management and act to stop the behaviour where it is safe to do so, and / or alert the police or other relevant authority. Staff must not place themselves in personal danger by intervening in out-of-control situations but alert the police immediately by calling 999.

Staff training for supply of alcohol

Common Ground Policy for sales of alcohol

We will not supply alcohol to any person under the age of 18.

We operate a Challenge 25 policy. Individuals who appear to our staff to be under 25 years of age will be asked to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

We will not supply alcohol to anyone suspected of buying on behalf of an underage person.

We will not supply alcohol to anyone who is already drunk.

Valid proof of identification must be one of the following:

- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

Fake proof of age and identity cards are freely available through shops and the Internet. **Staff may only accept PASS accredited proof of age cards – Connexions, Validate UK, Portman, or Citizen Card. Other than these, only a passport or photo driver licence may be accepted.** Student union cards will not be accepted. Where an ID is deemed to be fake or may not represent the person showing it, further proof may be requested such as:

- ask birthdate or other information from the ID and see if the respondent knows the answer without hesitation
- ask customer to sign their signature and compare to the ID document.

If staff are not satisfied that proof of age has been sufficiently assured, supply of alcohol must be refused.

Annex: Offences under Licensing Act 2003

Premises Licence Holder

1. Failure to notify Licensing Authority of change in name or address – Level 2 £500 fine.
2. Failure to notify existing premises' supervisor that Premises Licence has been varied to replace them with another or that such application has been refused – Level 3 £1,000 fine.
3. Failure to provide Premises' Licence (or statement of reasons for failure to do so) to Licensing Authority within 14 days of direction from the premises supervisor who has given notice of intention to cease. – Level 3 £1,000 fine.
4. Failure to notify designated premises supervisor of application for transfer with interim effect (applicant and premises supervisor not the same person) – Level 3 £1,000 fine.
5. Failure to notify premises supervisor of interim authority notice – Level 3 £1,000 fine.
6. Failure to produce Premises Licence at the request of the Licensing Authority so that it may be amended – Level 2 £500 fine.
7. Failure to keep Premises Licence or certified copy at the premises – Level 2 £500 fine.
8. Failure to display summary of Premises Licence or certified copy and notice specifying any nominated person – Level 2 £500 fine.
9. Failure to produce Premises Licence or certified copy to authorised person for examination – Level 2 £500 fine.

Personal Licence Holder

1. Failure to notify Licensing Authority of relevant offence or foreign offence during grant or renewal – Level 4 £2,500 fine.
2. Failure to notify Licensing Authority of change of name or address of Personal Licence holder – Level 2 £500 fine. Failure to notify court of Personal Licence when being dealt with for relevant offence – Level 2 £500 fine.
3. Failure to notify Licensing Authority of conviction for relevant or foreign offence – Level 2 £500 fine.
4. Failure to produce Personal Licence within 14 days to Licensing authority to be updated – Level 2 £500 fine.
5. Failure to produce Personal Licence to authorised person or a constable – Level 2 £500 fine.

Temporary activities

1. Obstructing authorised officer from inspecting temporary event premises to assess impact upon crime prevention objective – Level 2 £500 fine.
2. Failure to display Temporary Event Notice, or keep the notice in the custody of the premises user (who is at the premises) or nominated person (a notice of nomination must also be on display at the premises) – Level 2 £500 fine.

General offences (relevant to anyone working on premises)

1. Failure to afford entry to a constable or authorised person for purposes of assessing the impact of the grant of a licence, provisional statement, variation or review of licence upon the licensing objectives – Level 2 £500 fine.
2. Knowingly allow or carry on unauthorised licensable activities – 6 months prison sentence and/or £20,000 fine.
3. Unauthorised exposure for sale of alcohol – 6 months prison sentence and/or £20,000 fine.
4. Unauthorised possession of alcohol with intent to sell or supply in club – Level 2 £500 fine.
5. Allowing disorderly conduct on licensed premises – Level 3 £1,000 fine.
6. Sells, attempts to sell or allows sale of alcohol to person who is drunk – Level 3 £1,000 fine.
7. Obtaining or attempting to obtain alcohol to person who is drunk – Level 3 £1,000 fine.
8. Failure to leave licensed premises or attempt to enter premises following request by a person who is drunk or disorderly. Request from constable or authorised person, e.g. Premises Licence Holder, Premises Supervisor etc – Level 1 £250 fine.
9. Keeping unlawfully imported goods on relevant premises – Level 3 £1,000 fine.
10. Sale of alcohol in or from moving vehicles – 3 months prison sentence and/or £20,000 fine.
11. Sells or attempts to sell or allows sale on train contrary to prohibition order – 3 months prison sentence and/or £20,000 fine.
12. False statement in connection with licensing application – Level 5 £5,000 fine.
13. Obstructing entry of a constable or authorised person to investigate unauthorised use for licensable activity – Level 3 £1,000 fine.
14. Sale/supply of alcohol to under 18 – Level 5 £5,000 fine.
15. Allowing sale/supply of alcohol to under 18 – Level 5 £5,000 fine.
16. Sale/supply of liquor confectionery to under 16 – Level 2 £500 fine.
17. Purchase/supply of alcohol by or on behalf of under 18 – Level 3 £1,000 fine (person under 18); Level 5 £5,000 fine (person on behalf of under 18).
18. Consumption of alcohol by under 18 or knowingly allowing the consumption to occur – Level 3 £1,000 fine (under 18) Level 5 £5,000 fine (person permitting).
19. Delivering or allowing delivery to under 18 – Level 5 £5,000 fine.
20. Sending an under 18 to obtain alcohol for consumption off the premises – Level 5 £5,000 fine.
21. Allowing under 18 to sell alcohol – Level 1 £250 fine.
22. Breach of closure order in identified area – Level 3 £1,000 fine.
23. Breach of closure order for identified premises – 3 months prison sentence and/or £20,000 fine.
24. Breach of Magistrates closure order – 3 months prison sentence and/or £20,000 fine.
25. Breach of closure order pending reconsideration of conditions – 3 months prison sentence and/or £20,000 fine.

Rep 1

Dear Sirs,

I represent the freehold owners of Stroud Green Road which shares a common alleyway with 49 Stroud Green Road and object to the granting of a Premises Licence at the 49 Stroud Green Road.

The property at Stroud Green Road comprises a ground floor retail units with 3 residential dwellings above. The dwellings are let to families with young children.

If a Licence is granted, there will be patrons of the property in the rear garden (beer garden) late at night or in the joint alleyway between our properties causing nuisance and noise pollution. In the summer months when the windows are open in our property, the noise will travel straight into the bedrooms and cause substantial inconvenience to our tenants and their young children.

Patrons are also likely to leave rubbish in the alleyway which we would have to tidy up as we already have problems with the adjoining occupiers not taking responsibility for cleaning up their mess.

For these reasons, the application should be refused.


Director

Hadley Property Consultancy Ltd

Rep 2

Dear Sir/Madam,

Please see my comments below re LICENSING ACT 2003 - PREMISES LICENSE APPLICATION NEW RE: COMMON GROUND, 49 STROUD GREEN ROAD, ISLINGTON, LONDON, N4 3EF

Premises name and address: COMMON GROUND, SHOP, 49 STROUD GREEN ROAD, ISLINGTON, LONDON, N4 3EF

Comments and suggestions:
Public nuisance, crime and disorder

I have a number of concerns:

1. It is not clear if the licence is being applied for so that Common Ground can open as a restaurant or bar in the evenings. There are a number of restaurants on the road that do not cause any problems, however a bar would be considerably different. I would have concerns with people spilling out onto the road at the front (Stroud Green Road) and also people drinking in the evening in the outside space at the back of the building. This could block the pavement on Stroud Green Road and cause excessive noise in the evening in a residential area.

2. I have concerns that the licence will permit alcohol to be consumed on the premises in the outside space at the back of the building. This would likely cause excessive noise and nuisance in a space that backs on to gardens and residential properties. This would not be acceptable.

3. I have concerns that the licence will permit music to be played in the outside space at the back of the building. This would likely cause excessive noise and nuisance in a space that backs on to gardens and residential properties. This would not be acceptable.

Sent from my iPhone

Rep 3

To it may concern,

I wish to share my concern over the application for a new licence for the Common Ground Cafe. They are loud with a constant smell of food in the air. I have also seen an increase in Vermin. I paid a lot to own my lease and i cannot even relax in my back garden in piece without the noise of this cafe. I would ask you not to accept this licence and it would cause further issues for the surrounding neighbour who have had to endure this since the cafe opened.

Kind Regards

Letter of representation for objection to alcohol licence application: Ref. Common Ground Café - 49 Stroud Green Road, Islington, London N43EF.

Representation submitted to: Licensing Team, Islington Council, 3rd Floor, 222 Upper Street, London N1 1XR
via email: licensing@islington.gov.uk
Premises Name and Address: Common Ground Café
49 Stroud Green Road, Islington, London N4 3EF
Your Name: [REDACTED]
Interest: [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
Date: Thursday 19th March 2020

We have been living here for [REDACTED]
[REDACTED] The café owner spent 6 months prior for their building works which went on seven days a week from early morning 7am – past 11pm at night. We didn't object to this as we were content for them to realize their objective of opening. Since then they have opened up their entire garden space for public use without the necessary permission. We were clear with them prior to development that we did object to use of the garden due to many salient reasons. We explained that the front of Stroud Green Road is certainly commercial however the rear where we reside is absolutely residential. [REDACTED]
[REDACTED]

For good reason no other business has their garden open to the public for the last 150 years. As there are bedrooms/bathrooms/unsecure gardens/many single glazed windows exposed to the café garden. The cafe has always been open seven days a week which from the onset and continues to cause harm to residents. With the cafe possibly opening even later hours this scenario will make it even more unbearable to us and even increasingly unbearable to surrounding residents who continue to reside in this area. Since the café began trading, nearly all residents keep their windows and doors shut, those that are in very close proximity to the café keep their blinds/curtains drawn until after the café has closed. This was not the case before the café began trading.

The quarter mile section of Stroud Green Road on which Common Ground Café is located, from door numbers 11 – 103, there are 11 Cafes, plus 9 additional cafes within close proximity on adjoining roads. Totalling 20 cafés within a quarter mile stretch. There is also a diverse farmers markets that that currently has 8 stalls sell food and drink two minutes' walk from Common Ground Café, also Finsbury Park open spaces are a five minute walk from Common Ground Café. Local research suggests there are too many restaurants and cafes open on and around Stroud Green Road all holding an A3 Licence, this has suffocated the opportunity for a more diverse and sustainable high street.

Before the Café the rear garden space was a fully functioning well maintained seasonal vegetable growing garden. This has been a dramatic change of use which in our opinion should have gone to committee before the café began using the rear garden space.

We had telephoned for further information on the 4th March 2020 and were told to email our request, it then took a further three chasing emails before we were sent the application on 12th March 2020 [8 days later!]. The closing deadline date on the notice displayed outside the café also cites 28th March 2020 whereas on the Islington licensing website it states 20th March 2020. Giving us only 6 working days to place an objection!

If you are willing to read between the lines the Café are clear that they will not serve alcohol at the front of the premises, but it is obvious they will use the rear garden and they have placed no provisions to prevent any of the below circumstances from residing. Equally there is no reason to think that they will manage the premises well as they have not done so in the currently or in the past.

Prevention of Crime and Disorder

The overall crime rate in Finsbury Park is higher than average across the rest of Islington. According to the source OCSI 2019 (Local Insight profile for 'Finsbury Park' area) report which is based on data collected from official Police data; Finsbury Park has:

- 35% higher levels of crimes committed in the area,
- 35% higher levels of violent crimes committed in the area,
- 27% higher levels of criminal damage committed in the area,
- 25% higher levels of Anti-social behaviour incidents committed in the area,
- 23% higher levels of Burglaries committed in the area,
- 51% higher levels of Robberies committed in the area.

According to 'Islington Patterns of alcohol (mis) use in Islington and its impacts' the highest no of alcohol related crime occurs on Fri, Sat night –this license application is inclusive of those nights.

The accessibility of the rear garden for criminals to watch local resident's habits and lifestyles is simplified just by spending time in the café garden with an ulterior criminal intent in mind. We have clearly seen café customers dealing in drugs, however for the security and wellbeing of our family we will not engage in the justice system.

Public Safety

Common Ground Café is a poorly managed business for the below reasons:

- Café leaving heaters on all night, unsure if this is a fire risk on wooden decking.
- Café send out bullying letter received via their solicitor demanding us to block up our windows and air vents with unreasonable time frames,
- Our immediate neighbour has tried to take her life three times due to contributory factors of constant noise and banging from the café garden. Her partner had terminal bowel cancer and was subject to loud shouting and industrial blowers used in the very early morning (6am) and late night (11pm onwards).

- When neighbours NHS health/social professionals wrote to the planning committee an aggressive response was received.
- Noise and smoke pollution from café customers penetrates into our building as a result of the smoking we have had to paint interior of building next door due to yellowing of walls from smoke pollution. The NHS say that second-hand smoke lingers for up to five hours inside a home, children breathe twice as fast as adults as well as having under developed lungs and immune systems, making them particularly vulnerable to airborne toxins.
- Next door flat has a constant open kitchen vent and doors, are the only way to gain naturally circulatory fresh air – fresh air is not possible whilst the café is trading. As a result both next door and our buildings now suffer from continual growth of black mould.
- Noise that comes from the café from peak times is louder than a shopping mall.
- Dangerous lighting fixture to hut roof, especially when raining. These have been left for two months in this dangerous state. See photograph below.



- Huts have makeshift heating, lighting and electrical sockets for customer use, we are not sure if this is certified electrical correctly. They are often left live throughout the night.
- The café have openly promoted the consumption of multiple alcoholic drinks on its premises without notice or licence.
- There are people that live in Finsbury Park with a limiting long-term illness which has been recorded at 11% higher than across the rest of Islington. Source OCSI 2019 (Local Insight profile for 'Finsbury Park' area) report.
- This area is highly rental – hence people just move properties rather than stand up to injustice, whereas we are owner occupiers and highly affected by this.
- The huts have very poor maintenance in terms of lighting dangerously affixed to the roof. The electrical sockets are also left dangerously exposed. See photograph on following page.



- The portable bar heaters are left on overnight again on many occasions, including in the rain. See photograph below.



- Lights in the huts and garden area have been left on overnight on many occasions, illuminating our building with light pollution directly into our bedrooms. See both photographs below and on following the page.





- Due to the cashless operating café the owner is usually not seen present on the premises and the café seems to be run by students who have no regards for residential.

Prevention of Public Nuisance

- Institute of Acoustics (IOA) Guidance states for outdoor areas:
“Noise levels in unoccupied playgrounds, playing fields and other outdoor areas should not exceed 55dB LAeq, 30min” The café is well beyond this and has not done anything to mitigate noise or vibration disturbance. This is much louder than a fully functioning school playground in a residential area and for a much longer period of time.
 - The WHO (World Health Organization) produced a report in London named ‘Guidelines For Community Noise’. The research in this document clearly states:
 - For outdoor living – serious annoyance in the daytime and evening to be 55dB LAeq.
 - For dwelling indoor – speech intelligibility in the daytime and evening to be 35dB LAeq.
 - For inside bedrooms – sleep disturbance at night time to be 30dB LAeq.
- The café have been recorded at over three times the levels stated by the WHO. [See attached video provided via email.](#)
- Café staff alone exceed the above thresholds and the café customers exacerbate and compound this especially during peak times.
 - No longer able to hang clothes outside to dry due to café customers smoking outside, also delicacies are now on show to the general public.
 - Café customers sitting and stalling at our building for hours, often in the sunnier months with sunglasses on, which makes for an uncomfortable environment for local residents. Kids cannot play in the little outside area we have - again this is reducing our amenities.
 - We are no longer able to pray undisturbed due to the noise and vibrations caused by café staff, customers, artists and maintenance personnel creating what feels like round the clock noise and vibrations.
 - Our friends of religious faith no longer visit us due to the on-looking of café customers, i.e. unable to take off head dresses etc.
 - Already distributing and advertising alcohol during festive times on their bill board. [See photograph on following page.](#)



- Built a huge marquee in garden erected for three months over 2018/19 with flashing/pulsating lights left on all night for weeks on end. This took away all the natural light from next door bedroom window and the lighting would constantly illuminate our children's windows.
- Loud/large parties have taken place in marquee with coloured pulsating lights left on all night impacting our bedroom spaces.
- Huts that they now currently have also hold occasional late night parties i.e birthday parties with alcohol consumption without a valid license.
- After closing the café to customers the music is put up to a high volume with their doors open, notably on weekends.
- Café have built a high fence which has cut out natural daylight to our ground floor windows.
- Restaurant serving is taking place since they opened without a valid license (A3).
- We can't leave windows and doors open for fresh air due to smoke coming straight in and now this is requested for even longer hours?
- Customers disruptive dogs left barking in café rear garden often for hours on end.
- Large groups of mums and dads come in hordes from nursery playgroups – large number of babies crying and children running up and down the decking for long periods of time.
- Maintenance of café is usually done after closing time which can lead late into the night or very early mornings. Example of poor management.
- Artist work carried out on the walls of the café grounds is also done late into the night with loud music blaring.
- Tables and chairs constantly being scrapped along their wooden grooved decking throughout the whole day. Also on a daily basis tables and chairs are being rearranged and dragged around early mornings and late evenings by staff.
- Café customers talking on phones whilst walking around oblivious to the noise and vibrations they are creating.
- The café have also placed benches, large wooden blocks and a large plant either side of their frontage, hence designating an area for social gathering which is blocking more than half of an already narrow pathway causing a bottleneck of human traffic during this recent period of social distancing. This is irresponsible management. See photograph on following page showing four people standing drinking and one individual seated plus note the limited access for pedestrians including those with buggies and shopping trollies to navigate.



- The café attracts predominately a niche audience such as people working from home and business meetings – taking away our residential sanctuary and bringing the city life into our residential homes.
- The huts that they have currently are often left open overnight and causing constant banging and slamming of doors. See photograph below.



- The staff consume alcohol in the outdoor space during the café opening hours and after, causing them to be louder than usual. There is often substantial drinking, loud singing, whooping, dancing, adult themed banter and swearing often late into the evening, as well as walking up and down the decking whilst chatting loudly on mobile phones. As a family this is quite menacing and our children have said there are wolves and wild animals here and they remain very scared all day and night! See photograph on following page, showing several bottles of wine, beer bottles, cans consumed by six café staff members around one table in one sitting throughout the evening and night. Please note these are not isolated incidents.



- Many of the local residents on Stroud Green Road prefer to open up their rear windows to help reduce air pollution and noise pollution as the commercial street side is heavily used by vehicular traffic including lorries, busses and many diesel vans. This no longer happens because of the cafes change of use over their rear garden, as the noise levels are so great and prolonged that local residents feel boxed in, with those on Charteris Road no longer using their gardens. Also many of the residential homes have not been fitted with double glazed windows, creating an exposed security risk. See both photographs below and on the following page, please note multiple single glazed windows have been retained to the rear aspects.



Above is a photograph of the rear view of Stroud Green Road



Above is a photograph of the rear view of [REDACTED]

- Music is currently played at a high volume during the café weekend operational hours without the correct license. This already emanates through the cafe back doors and into our building.
- The ambient music levels will go up in volume as the customers battle to raise their voices over one other, and it will emanate through the cafe back doors and double doors.
- It is highly likely the customers will dance outside as this already happens during the daytime, causing additional vibrations on the wooden decking which is amplified through our barrelled roof.
- The music supplied by the café will also encourage the café customers to sing individually and in groups, morning, noon and night.
- The sharp noise of alcoholic bottles and glasses constantly being 'clinked' together, is an inevitable consequence of alcohol fuelled celebratory groups.
- The all day and night ambient music will mean that even at non peak intervals, there will be no rest for residents.
- Based on staff behaviour after consuming alcohol on premises, customer's inhibitions also after consuming alcohol are likely to be equally relaxed and would result in significantly louder than usual behaviour and potentially coarse behaviour.

Protection of Children from Harm

- Privacy significantly compromised. We have a bathroom used by children directly facing the café garden. This is a safe guarding issue.
- [REDACTED]. The café disrupts this on nearly every night.
- Already their outdoor space has been taken away [REDACTED]
- Already banging and shouting between 1am – 4am nearly every night? We cannot see from our premises but as the café personnel entering via their outbuilding and their security light comes on
- Smoking and vaping from café customers filter into our building even with the window shut.

- Bad language, and adult themed jokes and stories can be heard.
- Can't use the garden due to smoking and throwing of lit cigarette butts, litter thrown into our area – dangerous to young children including glass and food.
- Café is continuing to use their garden regardless of permission – application P2018/3072/FUL submitted December 2018 but using since they opened in Feb 2018 a change of use from retail (A1 use) to mixed A1/A3 sui generis use.

- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] repeated and asked us what certain swear words and sexually explicit words which they have heard from the café whilst being within their home.

- People often sit facing our building and often photographing and videoing (voyeurism) our building and our children which surely is a major safe guarding issue for children and our privacy. Our family bathroom faces the garden and the children can be seen as they do not lock doors.

- A table for customers has been placed since the café opened right outside the ground floor window, 'Picture 1' courtesy of "Protopapas" solicitors' document. The second photograph 'Picture 2' clearly shows our kitchen and bathroom vents and the intrusive view into our upstairs hallway,

[REDACTED]
[REDACTED]

- The smell of alcohol will permeate the air, just as the smoking and vaping continues to do.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Response to representations

Dear Niall,

Many thanks for sending through the notification of representations in regard to the Licensing Application for Common Ground, 49 Stroud Green Road, N4 3EF.

Thank you also for letting us know about the adjournment of the hearing to consider this application. Fully understandable given the current circumstances.

I hope you don't mind us clarifying some of the information and assertions contained in the representations as I believe there are elements which would be misleading to members of the hearing and unfairly portray the activities of Common Ground. I hope that these responses will be given some consideration.

Clarification – Representation 1 [REDACTED]

Contrary to the information in this representation, Common Ground does not share a common alleyway with [REDACTED] Stroud Green Road or any other premises. The alleyway for our premises 49 Stroud Green Road is for the sole use of Common Ground.

Clarification - Representation 3

Common Ground has not experienced a problem with increased vermin. We have a running contract with Barrett and Sons Pest Control who visit the premises quarterly (starting in 2018) to check and control any pest activity. They provide us with reports after each visit which we can share if useful. Our team also adhere to pest control guidance provided by Barrett and Sons and follow any recommendations given in their quarterly reports to minimise the incidence of vermin on the premises.

Clarification regarding the Retrospective application for change of use from A1 use to mixed A1/A3 sui generis use – P2018/3072/FUL

Our application for A1/3 Sui Generis use was submitted, as directed by the council, on time, in September 2018 (18 months ago). We have heard nothing since. Please note that we're aware that the main reason we were issued with a PCN, and requested to submit this retrospective application, was because of the numerous complaints and protests by the [REDACTED] which included them mobilising the support of their (and our) local MP. We have a copy of his letter of support. We consequently wrote to our local MP too, to ask for a meeting so we could discuss the planning application with him. We heard nothing from him, despite several reminders. We therefore wrote him a letter (which we were informed he had received and can share if useful). Following this, we heard no more from the Council on this matter.

Given that the deadline for a decision on the retrospective planning application was in December 2018, we had made the assumption at this point that the Council's requirement for a change of use had been dropped. If this is not the case, we would greatly appreciate some clarification as this leaves us in a precarious situation.

Response to representation from [REDACTED]

Firstly, please be aware that we have tried on many occasions to connect with the [REDACTED] in order to establish friendly face to face communication. Before the refurbishment work started we dropped a friendly card in their post box suggesting a meeting. Since then we have tried, we estimate on at

least 7 occasions, and always in a friendly way, to establish a dialogue. They have always refused to speak to us, they ignore us in the street, and have declined all requests for a meeting. This has been hard and disappointing for us. We pride ourselves on being a friendly neighbourhood coffee shop and want to establish a good relationships with our neighbours, many of whom are our customers. We believe that if the [REDACTED] were able to liaise with us directly we could address many of their concerns or come to mutual agreements.

Instead we feel the [REDACTED] have waged a campaign against Common Ground from the onset which has included posting anonymous defamatory letters through local residents' doors, making serial complaints to the Council for any possible reason and taking intrusive, clandestine photos and videos of the premises, our customers and our staff. Having conferred with other local traders we have been led to believe that this behaviour from the [REDACTED] has occurred with numerous other local businesses. I've attached a document where a response has been given to each of the [REDACTED] points. I really hope this can be included for consideration at the hearing.

As a final note, I'd like to make you aware that Common Ground has been severely affected by the coronavirus outbreak and at this point we are fighting to survive. Despite paying £19,500 in rent annually, our rateable value as set by the Council falls below £15,000 and we will only receive a grant of £10,000 to support us through our enforced closure rather than the £25,000 which other comparable hospitality businesses will be receiving. This has left us in a dire predicament and we are currently looking at loan options in order to stay viable.

Our outgoings are considerably higher than the vast majority of nearby businesses which fall within the lower rateable band (our quarterly rent is £4,875 and our supplier invoices for payment in March/April amount to £11k alone. In addition, we will be carrying over a £20k VAT quarterly bill and £7.8k NIC/tax to pay when we reopen). We are also losing the important higher revenue we experience in the warmer months (when our garden is open) which would help us cover these costs.

If we are granted the premises licence we believe it could provide an opportunity to increase our revenue and keep the business afloat and able to take on the additional burden of costs we will be shouldering once we reopen.

Finally, we believe Common Ground makes a considerable contribution to the local economy and hope this is taken into consideration as part of our application at this precarious time for the Stroud Green economy. We provide work to 13 local staff (5 of whom are either full time or see Common Ground as their principle source of income); we buy produce from and support multiple local food producers; we also draw people to the area, thereby increasing the footfall and economy of the Stroud Green high street. Common Ground has become a popular destination for visitors from outside Stroud Green, particularly at weekends. We know this from talking to our customers, from our instagram following, and from our google and website data. We really hope the Council can support us to get back on our feet, to thrive again, and to contribute to restoring Stroud Green's vibrant local economy.

I look forward to being in touch and please feel free to contact me if you require any further information.

Kind regards,

Lucy

Lucy Jones

Owner and Founder - Common Ground

Suggested conditions of approval consistent with the operating schedule

1. To promote public safety, staff will call taxis for customers who require i
2. Staff shall remind customers to be considerate of neighbours and passers-by if necessary
3. There shall be no off-site sale of alcohol
4. No glasses are allowed outside the Common Ground premise
5. Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be duly disturbed
6. We operate a zero-tolerance policy towards illegal drug or other activity and anti-social behaviour. Staff will report any suspected or observed activity to management and act to stop the behaviour where it is safe to do so, and / or alert the police or other relevant authority. Staff shall not place themselves in personal danger by intervening in out-of-control situations but alert the police immediately by calling 999.
7. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
8. No vertical drinking
9. Music shall be restricted to ambient background levels of sound.
- 10.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
- 11.Alcohol shall not be sold or supplied on the premises otherwise than to persons purchasing food there and for consumption by such a person as an ancillary to his/her meal
- 12.There shall be no deliveries or collections after 18:00.
- 13.All fire and escape routes shall be clearly marked and these will be maintained without obstruction.
- 14.There shall be heat and smoke detectors are in place and are maintained by a licence holder.
- 15.All fire safety equipment shall be kept and maintained by a licence holder.
- 16.A first aid kit shall be maintained on the premises by a licence holder.
17. Valid public liability insurance shall be in place at all times.
- 18.The licence holder shall keep records will be kept about public safety incidents as part of agreed health & safety policies and procedures.
- 19.All persons under age of 18 will not be allowed on the premises after 21.00.

Conditions proposed by the Metropolitan Police

- 20.An incident log shall be kept on the premises and will be produced to the Police or other relevant officers of a responsible authority upon reasonable request. Every entry will be date and time stamped. Said log will record:
 - Any refusal of alcohol;
 - Any and all allegations of crime or disorder reported at the venue;
 - Any and all complaints received by any party;
 - Any faults in the CCTV system; and

Any visit by a relevant authority or emergency service.

21. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:

The licensee will ensure that the system is checked every week to ensure that the system is working properly and that the date and time are correct;

A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;

The Police will be informed if the system will not be operating for longer than one day of business for any reason;

One camera will show a close-up of the entrance to the premises, to capture a clear facial image of anyone entering;

The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;

The system will record in real time and recordings will be date and time stamped;

The system will be specified so as to operate satisfactorily regardless of lighting conditions;

During opening hours, at least 1 member of staff on duty will be able to operate the system sufficiently to allow Police or authorised Council officers to view footage on request;

Recordings will be kept for a minimum of 31 days; and

Footage will be provided free of charge to the police or other authorised officers upon request (subject to the Data Protection Act 1998) within 24 hours of any request.

22. The premises licence holder shall ensure that all sales staff receive appropriate training in relation to managing conflict and health and safety of the public and staff. Training documents shall be signed and dated and will be held in a suitable hard-copy log, to be made available to a Police Officer or Council Officer upon request. Said records shall be retained for at least 12 months.

23. The premises will operate the 'Challenge 25' proof of age scheme. (a) All staff will be fully trained in its operation; (b) Only suitable forms of photographic identification, such as passport or UK driving licence, or holograph equipped 'PASS' scheme cards, will be accepted. There shall be "CCTV in Operation" signs prominently displayed at the premises.

