



Report of: Service Director, Public Protection

Meeting of:	Date:	Ward(s):
Licensing Sub-Committee - C	03/06/2021	St. Peter's

	Exempt	Non-exempt
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SUBJECT: PREMISES LICENCE NEW APPLICATION
RE: ANGEL FOOD AND NEWS, 44 DUNCAN STREET,
ISLINGTON, LONDON, N1 8BW

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 for off sale only on Monday to Sunday from 08:00 until 23:00
- The permit the premises to be open seven days a week twenty four hours a day.

2. Relevant Representations

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

London Fire Brigade	No
Local residents	Yes: 8 local residents
Other bodies	Yes: One ward councillor

3. Background

- 3.1 This is a new application for an off licence for Angel Food and News, 44 Duncan Street, Islington, London, N1 8BW.
- 3.2 The application has received ten representations from the Licensing Authority, a ward Councillor and eight local residents.
- 3.3 The applicant has agreed additional conditions with the Police Licensing Team and the Council Councils Noise Team. These are included in appendix 4.
- 3.4 There was a previous application for an off licence at this location. This application was submitted by a different applicant. The Ward Councillor has included and referenced the previous minutes to this meeting in their submission so these are also included in the report for information.

4. Planning Implications

- 4.1 There are no planning implications with this application.

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 Angel and Upper Street 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 3); and
 - ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.

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;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

Background papers:

None.

Final report clearance:

Signed by:



Date 21/05/2021

Paul Clift

Head of Environmental Enforcement and ASB
Public Protection & Regulatory Services

Report author: Licensing Service

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E-mail: licensing@islington.gov.uk

* required information

Section 1 of 21

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

System reference

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

Your reference

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

Are you an agent acting on behalf of the applicant?

 Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

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

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

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

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

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

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

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	<input type="text" value="Angel Food and News"/>
Street	<input type="text" value="44 Duncan Street"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="N1 8BW"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="██████████"/>
Non-domestic rateable value of premises (£)	<input type="text" value="19,250"/>

Section 3 of 21

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

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

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="dd"/> / <input type="text" value="mm"/> / <input type="text" value="yyyy"/>
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

Section 5 of 21

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

Continued from previous page...

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

The premises is to trade as a convenience store and is looking to sell alcohol as part of the offer for consumption off the premises.

We are aware that this type of premises falls within the special policy in relation to cumulative impact in respect of shops, giving the rebuttable presumption that such applications will be refused. I would ask that this application be assessed under the current climate brought about by Covid, and not to take a general opinion of "no more off sales". there are currently many premises that are closing down due to the impact of Covid, and this will continue into the foreseeable future. a business that is prepared to invest in the area, boost the economy, and create jobs should be looked at in isolation to the policy, which was written, and adopted long before anyone could have foreseen the economic climate we are facing in the near to medium term future.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Section 13 of 21

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
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

Name

First name

Family name

Continued from previous page...

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'.

Section 16 of 21

ADULT ENTERTAINMENT

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

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

n/a

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

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

Continued from previous page...

Section 18 of 21

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.

The licensee shall ensure that all staff are trained on relevant matters, including the conditions of the premises licence, age restricted products and [if they are ever left in charge of the shop] the operation of the CCTV system and how to deal with visits from authorised officers. The licensee shall keep written records of training and instructions given to each member of staff, detailing the areas covered to include the Licensing Objectives, identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing. Staff shall sign to confirm that they have received and understood the training. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. The written training records kept for each staff member will be produced to police & authorised council officers on request. The licence holder and staff will attend any offered Trading Standards training in the sale and supply of alcohol.

b) The prevention of crime and disorder

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

(a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct.

(b) 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;

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

(d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;

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

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

(g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.

(h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act 1998) within 24 hours of any request.

No beers lagers or cider above 6.5% ABV to be sold from the premises except for pre-agreed premium products. Copies of all invoices for the purchase of alcoholic products will be kept on-site and made available for inspection by the authorities for a period of at least 12 months.

An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record:

(a) Any and all allegations of crime or disorder reported at the venue

(b) Any and all complaints received by any party

(c) Any faults in the CCTV system

(d) Any visit by a relevant authority or emergency service

Continued from previous page...

- (e) Any and all ejections of patrons
- (f) Any and all seizures of drugs or offensive weapons
- (g) Any refusal of the sale of alcohol.

In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:

- (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
- (b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
- (c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;
- (d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours.

Notices will be prominently displayed by the entry/ exit.

- A) That CCTV is in use & a Challenge 25 proof of age policy is in operation;
- B) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
- C) Of the permitted hours for licensable activities & the opening times of the premises;
- D) Not to drink in the street;

A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

No alcoholic goods or tobacco products will ever be purchased or taken from sellers calling to the shop .

19. No spirits shall be purchased in a resealed box .

20. The licensee will immediately report to trading Standards any instance of a caller to the shop attempting to sell alcohol or tobacco products .

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premise of this size.

All off sales will be sold in sealed containers.

d) The prevention of public nuisance

Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for the neighbouring properties. sufficient litter bins will be provided to allow the customers to deposit their waste/ rubbish in the correct manner.

e) The protection of children from harm

Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, HM forces photographic iID card or proof of age card with the PASS logo or hologram on it may be accepted as proof of age. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme.

Continued from previous page...

A notice will be displayed at the till either electronically or physically to remind staff to ask for identification .

The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed six months, with the date and time of the verbal reinforcement/refresher training documented.

All such training undertaken by staff members shall be fully documented and recorded. All training records will be kept at the premises and made available to officers of any responsible authority upon request.

The premises shall at all times maintain and operate refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book will be kept at the premises and made available to officers of any responsible authority upon request.

Section 19 of 21

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.

Continued from previous page...

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.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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.

Continued from previous page...

- 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.

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

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.

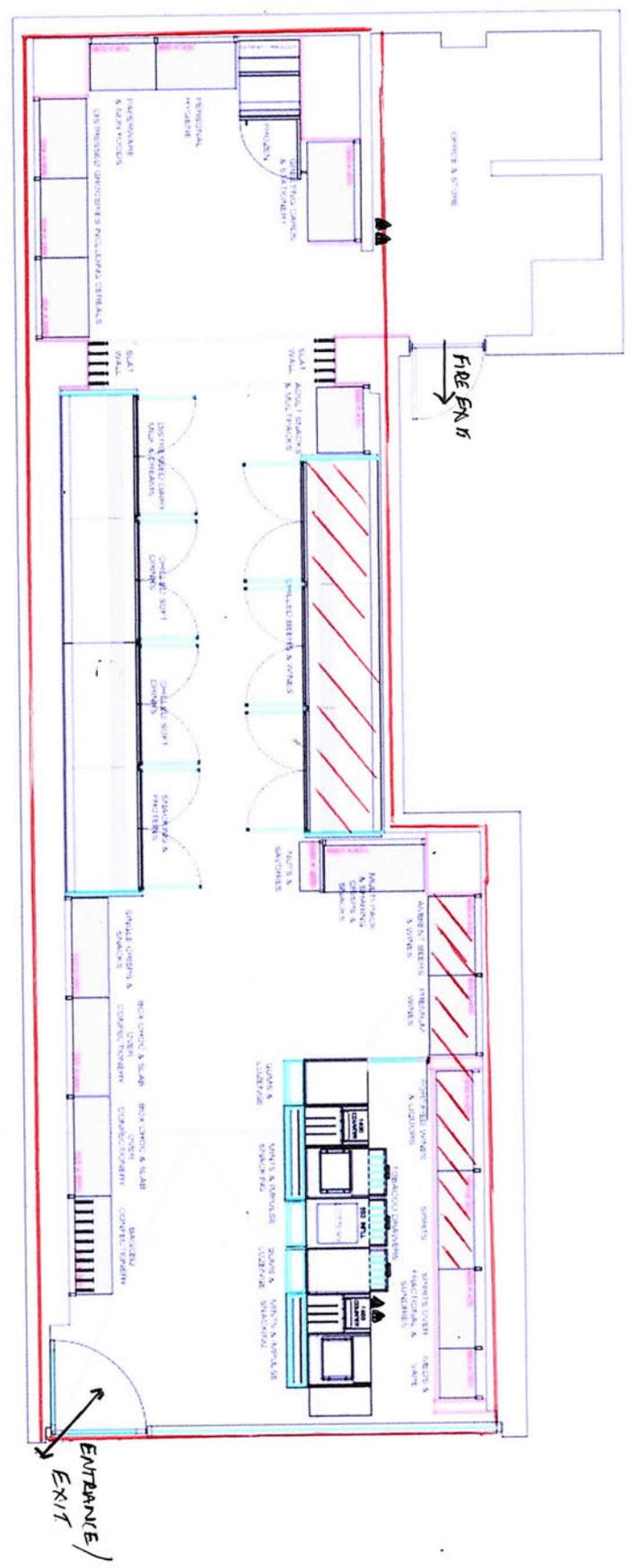
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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="sgl:328"/>
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"/>

ANGEL FOOD + NEWS
 114 DUNCAN STREET
 LONDON
 NW 83W.



- licensable area
- /// licence display
- ▲ fire extinguishers

Licensing Act 2003

Licensing Authority Representation

Premises Licence Application:

ANGEL FOOD AND NEWS 44 DUNCAN STREET N1 8BW

I am submitting a representation on behalf of the Licensing Authority with respect to the premises licence application, submitted by Tahla Gulam.

The application is seeking to allow the premises to provide the sale by retail of alcohol, off supplies only, Mondays to Sunday from 08:00 until 23:00.

The grounds for the representation are:

- Prevention of Crime & Disorder;
- Prevention of Public Nuisance.

Licensing Policy Considerations

Licensing Policies 2 & 3 *Location, Cumulative impact and saturation*

Licensing Policy 4 *Shops selling alcohol;*

Licensing Policy 7 *Operating schedule; and*

Licensing Policy 14 *Alcohol induced Crime, Disorder and Antisocial Behaviour*

Issues of Concern

- The premises are located within the Angel and Upper Street Cumulative Impact policy area (LP's 2&3). The main issues of concern in this Cumulative Impact area is the large number of premises selling alcohol, in particular premises with off sales operating in the area and the impact that widely available alcohol is having on local residents and visitors, in terms of nuisance, antisocial behaviour and alcohol related harm.
The onus is on the applicant to demonstrate that these premises will not add to the cumulative impact.
- The applicant has not mitigated the local area concerns in relation to shops selling alcohol (LP4) and how it could add to the cumulative impact of such premises on local area problems, such as the high level of problem street drinking, street sleepers gathering outside of the shop and the premises being near an extremely busy transport/social hub, with several alcohol outlets.
- The operating schedule (LP7) put forward within the application has not referenced these issues or put forward appropriate controls.
- In the operating schedule, the applicant states that the application should be considered under the current economic climate and not because of a policy of "no new off licences". However, off licences and grocery shops have been able to operate throughout the covid restriction period.

- **Summary**
- The Licensing Authority seeks to encourage the highest standards of management in licensed premises and expects this to be demonstrated through the operating schedule. The operating schedule offers very little in the way of controls and does not include the level of detail expected for an application seeking the sale of alcohol within a cumulative impact area. While the operating schedule does reference some controls there is little detail in areas of operational policies, staff training on alcohol sales and supervision, management support or recognition of the potential for harm and crime and anti-social behaviour linked to the sale of alcohol in an already saturated area.

The Licensing Authority recommends that the Licensing Sub Committee considers our concerns when determining the application.

Terrie Lane
Licensing Manager
Islington Council
020 7527 3233

12 May 2021

Rep 2

Dear Niall,

Many thanks for sending this through.

I wish to formally object to the application on the basis of its conflict with licensing objectives 2,3&4, as set out in the previous decision. Whilst the hours proposed are shorter than previously, I don't see that any circumstances have changed to justify a different decision from the 2019 hearing.

Regards,

Councillor **Martin Klute**
Labour Member for St. Peters Ward
London Borough of Islington
Chair: Planning Committee

Regards

See attached decision

Rep 3

I object to this application.

This property is in a sheltered position behind a wall and under a block of flats which form a "roof" above the pavement. Duncan Street at this point is already known for being used by drug dealers and the residents have to suffer antisocial behaviour. An alcohol licence would just add to the nuisance.

Not only do the people of Duncan Street suffer but the users of Duncan terrace gardens and the green banks already see street drinkers in the gardens and on the steps of the church where they leave their empties. A ready supply of alcohol a few yards walk away would increase this problem.

In addition it is opposite a school and the children need to be protected from the consequences of alcohol and drugs.

I note that the applicant cites Covid as a reason for being granted the licence. I do not see how Covid is of any relevance to the sale of alcohol. In any event his shop has been open though out the pandemic.



[REDACTED]

Rep 4

Dear Sirs

I was concerned to hear that ANGEL FOOD AND NEWS, 44 DUNCAN STREET, LONDON, N1 8BW was applying for a license to sell alcohol and would strongly ask you to please reject the application.

I have lived in the area (just around the corner from the premises on Duncan Terrace) for 25 years and that section of Duncan Street has unfortunately been plagued by trouble with youths (gangs?) hanging about on the raised section and in the doorways smoking weed, drinking (including underage drinking) and also what often looks like dealing drugs. I feel sorry for the residents who actually live there what they already have to put up with.

In addition there are often people drinking alcohol in the Duncan Terrace / Colebrook Row public gardens and having an off license just metres away will exacerbate the problem.

Granting this licence will only attract more such anti-social behaviour to the raised area of Duncan Street and to the public gardens nearby, and at all hours from 8am to 11pm.

Having this going on directly opposite a school and in full sight of its playground will be harmful to the children there.

In addition the covid situation and economic climate cannot be given as a reason for granting this licence when this convenience store has been open daily throughout the pandemic and when other stores have had to shut.

I am concerned for any repercussions in writing to you (especially given the gang-like behaviour I witness around the premises) and ask you therefore to please redact my name and address from any documents.

Yours sincerely

[REDACTED]
[REDACTED]

Rep 5

Dear Licensing

I would like to object to the granting of a new premises licence for the above property for the following reasons:

1. It is located within an area which is designated as a cumulative impact zone, so no further licenses should be granted.
2. A previous application made for a 24 hour licence was rejected and I can see no reason why there should be any change in the committee's decision made then, even if the licence is for restricted hours.
3. The shop is located underneath a block of flats which has historically suffered from anti-social behaviour relating to alcohol and drug abuse occurring in its entrance ways. Making the sale of alcohol from this shop will only encourage this.
4. Local residents already suffer disruption and public nuisance from people consuming alcohol in the gardens located nearby and along the canal path. Another premises with a licence will only encourage this.

Yours faithfully

██████████

██████████

Rep 6

Dear Sirs

I object to the current application for an alcohol licence by Angel Food and News of 44 Duncan St London N1 8BW My name is ██████████ and my address is ██████████ I am chair of the Vincent Terrace Residents Association and make these comments both personally and as directed by the Vincent Terrace Residents Association.

I pass by Duncan St regularly at varying times of day and late evening and note carefully the groups hanging around the raised area to the left of Angel Food.

I objected at the last application with many other local residents. I have serious concerns about crime and disorder and public nuisance and because Angel Food is directly opposite St James' Primary School am concerned about prevention of children from harm.

The last application was refused following serious concerns raised by residents, the Police and our Labour Councillors and the position has not changed(please see objections to previous application which was well attended at the Town Hall).

The entrances to the flats to left of Angel Food continue to be frequented most nights by groups of young men dealing or consuming drugs and attendant ASB...the area is well known to the Police (who are objecting to this application) and to Park Patrol. The local shops clear away some of the litter left by these groups but some mornings there is also drug paraphernalia in addition to beer cans, urine and faeces.

LBI had to take steps in 2018 to reinforce the external entrances to these flats to prevent groups forcing their way inside and drinking and doing drugs. Dealers are often seen on pushbikes or scooters supplying the groups directly. If Angel Food are granted an alcohol licence there is a very real concern that it will lead to a direct increase in crime and disorder in Duncan St and more public nuisance.

Please listen to the community and to the Police and refuse this application .

I am happy to provide any further information required in connection with this application and to speak at any application hearing.

Yours faithfully

[REDACTED]
[REDACTED]

Rep 7

Dear Sir/Madam,

I am a local resident living at Duncan Terrace. I write to object to the grant of an off-licence for Angel Food and News. A similar application was considered recently and was properly rejected. The committee properly took into account;

- the council's policy in a saturation zone
- the more than adequate provision for the sale of alcohol in the vicinity
- the potential public nuisance caused by the consumption of alcohol in a problem area around the entrances to the flats on Duncan Street and in the gardens of Duncan Terrace/Colebrook Row
- the proximity to the primary school.

Nothing has changed. The shop has been able to continue trading throughout the Covid lockdown.

[REDACTED]

[REDACTED]

Rep 8

Dear Sir/Madam,

I am writing in regards to the Premises License Application for 44 Duncan Street, Islington, London N1 8BW (Ref: WK/2000653358).

I am a resident that lives at [REDACTED], and I object to this application for the following reasons.

In the past few years, we have had ongoing issues with our communal stairwell and entryway areas being occupied by drug dealers, drunks, heroin addicts and homeless people.

They have used these areas in order to imbibe their various addictions, to make noise at all hours, cause a nuisance and threaten the residents that live here, sleep in the areas, litter, graffiti, vomit, aspirate blood, urinate and excrete faeces outside people's front doors.

We have been in constant contact through this period with the council and the police to remove these people, and we have many official records to back up that claim, but yet they still return.

We even had to have our communal front door replaced to the cost of thousand of pounds due to their constant breaking in.

There are also elderly residents that live in this block that have been frightened to leave their homes due to these people. My mother who lives at the same address as myself being one of them.

There is a public house (The York) on the end of Duncan Street where people can obtain alcohol, and there are many shops around the immediate area that are already licensed to sell alcohol. The only reason I see this license being applied for, is to serve alcohol during the late night hours where other establishments are closed, as the 44 Duncan Street premises is open 24 hours and would wish to increase it's trade during those times.

Unfortunately, I personally can only see that trade being for the patrons of the public house to get more alcohol upon its closing, who themselves historically have used our entryways as public toilets, and so this license would further encourage them to those actions. And the other trade would be to the aforementioned unwanted people that frequent and use our communal areas as their living space.

It is also prudent to mention, that this premises is opposite a primary school, and that the sale of alcohol could further encourage the undesired people to 'hang around' in front of this establishment at all hours.

If you have any need for more information, please do not hesitate to ask.

Thank you for listening to our concerns as residents.

Yours faithfully,

A solid black rectangular box used to redact the signature of the sender.

Licensing Sub Committee D - 1 August 2019

premises would not add to the cumulative impact. The application had shown little detail.

In response to questions regarding the ownership of the premises, the Chair of the Sub-Committee stated that there was no evidence of the applicant deliberately misleading the Sub-Committee and this was not likely to be a material consideration.

The officer from the public health team stated that the area already had a high density of licensed premises. The premises were located in an area where there were seven off licenses per thousand residents; higher than the Islington average of three. It was considered that there were already high levels of alcohol related harm in the area and further premises would add to the cumulative impact.

A local resident stated that another premises would be likely to add to crime and disorder. There was already an issue in the nearby parks with ASB and drug dealing. This application was for a new premise which would be likely to add to the cumulative impact and it was considered the impact had not been addressed or rebutted by the applicant. Duncan Street was a particularly problematic area and councillors had been working closely with the police. They had been informed that this was one of two major crime spots that the police were frequently called to and received Parkguard visits. Littering including drug paraphernalia was not a rare occurrence and many front doors had been reinforced to prevent entry. Some residents were worried about leaving their flats. The park area was two minutes' walk away from the premises and there had been increasing littering including drinking bottles cans, knives and even bleach. This was a speculative application which had not been made by the owner of the premises and the Sub-Committee were asked to reject the application. A second resident stated that there was an increasing number of bottles and syringes littering the area. There was a burden on the applicant to demonstrate a negative cumulative impact and this was a hard area to rebut that presumption where a high concentration of licensed premises already existed. This was directly in front of a primary school and was probably the worst area that the Sub-Committee could grant against the policy.

The applicant's representative clarified that the applicant was applying as a sole trader, which was perfectly legal. He had four other premises in London and would become the designated premises supervisor of this premises if the licence was granted. It was recognised that the original application was not strong on conditions but additional conditions had now been circulated. There would be two staff on the premises after 6pm and the application was within framework hours. The licensee could not be held responsible for previous incidents. This would be a convenience store and could open 24 hours a day. Low strength alcohol had been agreed as a condition, other conditions were robust and the police had not raised an objection. The police were not saying there would be an increase in cumulative impact. Staff would be trained over the next year. The school was not a valid ground to refuse the application. The applicant had held a personal licence for some years and he stated that the public health officer had said it would be

acceptable if the application was in framework hours. There would be CCTV and staff would discourage loitering and this was conditioned.

In response to questions, the applicant's representative stated that problem drinkers would go to premises with maximum strength alcohol. Strong beers would not be on sale in this premises. Staff would be fully trained. In response to a question asking if there was anything distinctive about the premises and whether it would enhance the area, it was stated that robust conditions would stop the premises causing a problem. It was stated that the training given to the designated premises supervisor would be an enhancement to the experience that he already had. The public health officer stated that the objection to the licence was on the basis of cumulative impact and not just on the hours applied for.

In summary, the interested parties stated that they had not heard the applicant rebut the presumption. The conditions offered were standard for a well-run establishment.

The applicant's representative stated that the applicant had four other shops which had no issues. He would run this premises with no addition to cumulative impact.

RESOLVED

That the application for a new premises licence, in respect of Angel Food and Wine, 44 Duncan Street, N1 8BW, be refused.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policies 2 & 3. The premises fall within the Angel and Upper Street cumulative impact area. Licensing policy 3 creates a rebuttable presumption that applications for the grant or variation of premises licences which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

The Sub-Committee also took into consideration Licensing Policy 4. The Council has adopted a special policy relating to cumulative impact in relation to shops and other premises selling alcohol for consumption off the premises. Licensing policy 4 creates a rebuttable presumption that applications for the grant or variation of premises licences which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Twelve local representations had been received. There were representations from the Licensing Authority and from Public Health.

The Sub-Committee heard evidence from the Licensing Authority that the application had not dealt with how the applicant would rebut the presumption of cumulative impact. The public health team recommended refusal on the grounds that there was already sufficient supply in the area which already experienced high level of alcohol-related harm.

Two local residents spoke against the application. They stated that this area was a particularly difficult area with high levels of anti-social behaviour, homelessness, litter including drug paraphernalia, bottles and cans. This was one of 2 local major crime spots where the Police and Parkguard were frequently called out. They said that there was a burden on the applicant to demonstrate a negative cumulative impact and this had not been demonstrated.

The applicant's representative stated that although the original application was not strong on conditions they had now forwarded a large number of robust conditions. This included conditions regarding high strength alcohol and CCTV. The police had not raised objections. There would be two staff on duty after 6pm and the hours were within framework hours. The applicant would be the designated premises supervisor and had held a personal licence for some years.

The Sub-Committee concluded that the premises would add to the availability of alcohol in an area where there was already a large number of licensed premises with associated anti-social and criminal behaviour and therefore have a cumulative impact on the licensing objectives. In accordance with licensing policy 2, the Sub-Committee was satisfied that the grant of the application would undermine the licensing objectives.

The Sub-Committee concluded that the applicant had failed to rebut the presumption that the application, if granted, would add to the cumulative impact area. The applicant did not show any exceptional circumstances as to why the Sub-Committee should grant the application.

59 **TETTO'S ITALIAN KITCHEN, 313 Highbury New Park, N5 -**
APPLICATION FOR A NEW PREMISES LICENCE (Item B2)

The Chair of the Sub-Committee stated for the record that he had worked previously with the applicant's representative, however he would deal with the application with the same independence as he always used when considering applications.

He also noted the planning issues detailed in the papers and stated that the applicant could seek an adjournment at any time and if there was no request, the members would consider the application on its merits.

The licensing officer stated that the licence holder had arranged a meeting which a few residents had attended. One resident had withdrawn their objection following this meeting. He reported that the residents who had attended had been broadly

Licensing Sub Committee D - 1 August 2019

happy. Emails had been received in support but these had not met the representation deadline. The current licence had later hours than the current application and this licence could be used if this application was rejected. However, the applicant would have to put the previous layout back as the change in plan was significant.

The Sub-Committee noted that there was a planning application that had been refused and which was currently going through an appeal process. The planning team were currently holding off enforcement until the appeal had been determined. If the licensing application was granted this would need to be revisited.

The licensing authority stated that their representation was still maintained. There were outstanding planning and building regulation issues and they did not have confidence in the licensee to promote the licensing objectives given the scant regard given to legislation. The additional area applied for was double the size of the current licensed area.

The planning officer advised that the applicant had been served an enforcement notice relating to the upper floors. A retrospective application had been refused and an appeal lodged. It was noted that if the licence was granted then more urgent enforcement action may need to be considered in terms of noise nuisance.

The interested parties raised concerns regarding the scale and impact of the property. The property was unlawfully built. It was stated that it was clear in licensing policy 1 that planning consent was expected to be in place. The application had been refused on the grounds of amenity and it was considered that this was relevant to the licensing application. They considered that this raised concerns relevant to the promotion of the licensing objectives. They stated that the works had increased the area four fold. This applicant had stated that this was a family restaurant but it could result in 300 covers with over 900 customers many of which would attend by car. The facilities were not suitable for live music and the applicant had shown a general disregard for planning and procedure and the application should be refused. The air conditioning units had been tested and it had been necessary for the noise team to visit. Opening hours were longer than the extractor fans were expected to operate.

In response to questions and concerns that this was being called a family restaurant when the sale of alcohol was originally applied for until 3am, it was noted that this term was introduced by the applicant following concerns raised to noise nuisance and music. There was concern expressed that promises could be made by the applicant but hours requested were similar to nightclub hours.

The applicant's representative stated that the current licence allowed for opening hours to 3.30am but this application was only until 1.30am on Friday and Saturday. There had been considerable expense by the applicant and the premises was previously a significant eyesore.

The architect stated that this development had been inherited. There were currently three enforcement notices outstanding. One for the UPVC windows,

second, for the conversion to flats on the upper floors and third, on the mansard roof. An application had been made for a rearrangement of flats to be compliant and this had yet to be determined. The applicant had engaged and had submitted two pre-applications. It was noted that elements of the restaurant may be unlawful but the bar and restaurant did not have enforcement action against them. There was an application for the air conditioning unit.

The general manager stated that he had previously managed 24 hour venues with 500 customers. There was no application made for dancing and this could not therefore be a covert nightclub. The current premises hours were until 3am and this application was until 1.30am on Friday and Saturday with hours to the sale of alcohol until 1am. Recorded music would be until midnight on Friday and Saturday and live music would be until 10.30pm. If this application was refused the applicant would need to consider the options. There had been a £1.3 million investment in the premises with 200 menus and wine lists. The hours in the application had been reduced prior to objections being received.

In response to questions, the applicant stated that an option, should the application be refused, would be to return to the original layout, although this would not be an option that they would want to do. It was noted that the area that was currently licensed was only part of the premises. The smoking area was proposed to be on the public highway and the furthest from the residential area. There had been another partner involved in the project and most building work had been carried out by himself. Once the existing problems had been realised the applicant took advice and submitted new plans. All of the previous wrongs they had tried to legalise. Live music would only be unamplified and would not be played in the outside area. They would agree to reduce the hours for live music and it could not be heard, even from some parts of the restaurant. Concern was expressed that the hours requested for a family restaurant would be until 1.30am. In response the applicant stated that the premises would not always be open until this time but they would want to have the option available. They did not expect full capacity. It was noted that the premises had been advertised as being open until 1.30am but this had now been removed. The owner had purchased the property in November 2018 and the structure was enclosed after this time. The previous partner had told them that he had applied for planning consent but he had not been truthful. The General Manager stated that he had previous experience at Club Reina and Aquarium nightclub. It was noted that, at a review hearing in November 2017, the Licensing Sub-Committee had been concerned with the ability of the General Manager to manage Club Reina and had agreed the need for the general manager to leave the business. The general manager stated that there had not been a single issue with Club Reina following the review. The police had no issues with him and he would not be granted a personal licence if they considered there was an issue with him. He stated that he was moving away from managing nightclubs as he now was starting a young family, although working at the nightclubs had given him a lot of experience.

In summary, the interested party raised concerns about the additional car parking issues. She stated that enforcement action for the licensed area was only in

abeyance. This did not mean that the structure was lawful. The conservatory had only been erected in the past two months whilst the new owner was in post. When the noise from the extractor fans was heard the noise team were contacted and the noise team requested that the premises close.

The applicant's representative stated that he did not want to encourage driving to the premises. They had listened to the concerns and he stated that all concerns had been tackled and resolved. Conditions were appropriate and dealt with the provision for a family restaurant.

RESOLVED

- 1) That the application for a new premises licence, in respect of Tetto's Italian Kitchen, 313 Highbury New Park, N5 2LB be refused.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

Twenty-six local resident objections had been received and there was one objection from a local ward councillor. Objections had also been received from the licensing authority, the police and the noise team. Conditions had been agreed with the police and the noise team and their representations had therefore been withdrawn.

The Sub-Committee heard evidence that there were concerns around public nuisance arising from the number of cars that would be driving to and from the premises, given the scale of the proposed premises. There had also been a failure to comply with planning requirements, giving rise to the service of several planning enforcement notices. The proposed licensed area had a substantially larger square footage than the current licensed area. The current owner of the premises was also the owner whilst the works that gave rise to the planning enforcement notices were carried out.

The Sub-Committee was concerned that the licensing objectives would not be upheld as the applicant had not demonstrated acceptable standards of management to date and the owner had been either negligent in supervision or complicit in the applicant's failure to comply with planning requirements during the recent works.

The Sub-Committee had to be confident that the applicant would comply with any licensing conditions imposed and was concerned about the impact on the surrounding area of the scale of the proposed licensed premises, which raised concerns that, without modification and without good standards of management, could give rise to public nuisance.

Taking Licensing Policy Number 1 into account, the Sub-Committee concluded that it was not satisfied that the licensing objectives would be upheld as, given the scale

of the project, it had concerns around public nuisance combined with concerns relating to standards of management.

60 **ISLINGTON SQUARE, ESTHER ANNE PLACE, N1 - APPLICATION FOR A NEW PREMISES LICENCE (Item B3)**

One resident raised objections on the grounds of public nuisance. They stated there would be an impact on residents in a densely populated area. There had been no clarity with regards to the number of people and the management of noise and traffic. This was a densely populated area with narrow streets. Lighting or sound could not be controlled. The residents had been informed that it would be impossible to control numbers. This had been marketed similarly to Covent Garden events but this was not located in the same type of area. A second resident stated that there would be public nuisance. The applicant would have no control over the dispersal from these events and no control over numbers attending. They considered that, if the application was refused the applicant could use temporary event notices which would not prevent them from holding these events. The Sub-Committee was asked to consider licensing policies 21 and 22 in relation to public nuisance or restrict events to the arcade area and to 8pm. They asked the Sub-Committee to consider licensing policy 25 in relation to dispersal. No recorded music should be heard outside of the site boundary. It was further noted that there had been a marked increase in people loitering outside, over the past six or seven months with people sitting on windowsills during the day. The residents would be very concerned if this was to be replicated during the evenings.

The applicant stated that they would not be adding to the cumulative impact. These events would be part of the opening of Islington Square, the new anchor for the Town Centre. There was to be a cinema, gym, offices, the Theatre and 300 apartments. They would need to attract local people into the development and off their laptops. There would be art, furniture, photography classes, Christmas food etc. They would want to be neighbourly and have planning conditions to protect amenity. During the evening they would have onsite security and a management plan. If the application was successful, the licence would commence in October as the consultation period had been extended. They were taking steps to manage the smoking areas for construction workers. The smoking areas would be on the estate once opened. Security would be encouraging patrons to exit via Upper Street. Conditions had been agreed with the noise service. Residents would be living on the estate and they would want to keep noise to a low level. They consulted with the residents and met on a monthly basis. There would be a security team in place, CCTV and the police would also have an office on the estate which they could work from.

In response to questions, it was noted that there would be a phased opening. Events would be mainly small with approximately 60 people. Mainly ticketed events. There was expected to be a large event around Christmas for 500 people with amplified music for a community choir and a jazz performer. It was noted that 499 people would be the maximum allowed. This would not be a regular occurrence. This was a time limited application. They did not wish to apply for a permanent licence. It was noted that not all events would be ticketed. Police would

Licensing Sub Committee D - 1 August 2019

be notified of events and it was agreed that residents could also be notified. Deliveries would be finishing at an earlier time. Some units were keen to do cookery schools and it would be helpful if this type of event finished at 10pm to allow for greater flexibility, although it was accepted that events outside of the shop units could curtail at 9pm.

In summary, the residents stated that there had been a lack of clarity and there had been little reassurance. They urged the Sub-Committee to refuse the application.

RESOLVED

- 1) That the application for a time limited new premises licence, in respect of Islington Square, Esther Anne Place, N1 be granted until 29 February 2020 to allow:-
 - a) The provision of regulated entertainment in the performance of plays, the showing of films and the performance of live music Monday to Sunday from 12 noon until 9pm.
 - b) The provision of regulated entertainment by the playing of recorded music Mondays to Saturdays from 12 noon until 9pm and Sundays from 12 noon until 8pm.
 - c) The provision of regulated entertainment for the performance of dancing Mondays to Sundays from 12 noon until 8pm.

That conditions on pages 171 and 173 of the agenda shall be applied to the licence with the additional conditions as follows:-

To reduce the permitted hours for all proposed activities in the area indicated on the map to 12:00 to 21:00 hours on any day, to allow time for dispersal.

To amend Annex 1 condition 7 to include representatives of neighbouring residents' associations and any residents' association for occupiers of Islington Square.

To amend the period for no collections or deliveries in Annex 3, condition 4 to be between the hours of 9 pm and 8 am.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policies 2 & 3. The premises fall within the Angel and Upper Street cumulative impact area. Licensing policy 3 creates a rebuttable presumption that applications for the grant or variation of premises licences which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant

Licensing Sub Committee D - 1 August 2019

can demonstrate in the operation schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Seven local resident objections and two local resident associations had been received. There had been no representations made by the responsible authorities.

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 6.

The Sub-Committee heard evidence from the residents, who objected particularly on the grounds of public nuisance, that there would be a great impact on residents in a very densely populated area. There was no clarity on the number of people at the events held. They reported that there had been an increase in the number of people loitering and smoking outside during the day and they would expect this to be exacerbated if there were events held at night. They asked that the application be refused but, if the Sub-Committee did not refuse the application, the hours should be reduced, resident associations be notified of events and the hours for deliveries be amended.

The Sub-Committee heard evidence from that applicant that these events were part of the opening of Islington Square. Events were expected to be small with some events would be ticketed with limited numbers. There was expected to be one event near Christmas with 500 people expected that required amplified music. The applicant agreed that proposed activities could be limited to 9pm on any day to allow for dispersal, that resident's associations be notified of events and that the hours for deliveries be reduced. A security team would be in place during the evening and would be encouraging an exit of patrons via Upper Street to reduce impact to Almeida and Studd Street.

The Sub-Committee concluded that the application for a time limited premises licence with the proposed expiry date of 29th February 2020 could be permitted so long as it was subject to the conditions as proposed including the amendment to Annex 1 paragraph 7, limiting the licensed hours to 21:00 to permit dispersal from events. The Sub-Committee was satisfied that the licensing objectives would be promoted and that therefore it was reasonable and proportionate to grant the licence.

The meeting ended at 9.00 pm

CHAIR

28 APR 2021

Licensing Act 2003 representation pro-forma

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

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

Premises Name and address: Angel Food and News, 44 Duncan Street, Islington, London, N1 8BW

Your Name: _____

Interest: _____

(E.g. resident, business, tenant, neighbour, consumer)

You _____

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

Public Nuisance

THE PARADE OUTSIDE THIS SHOP IS RAD ENOUGH WITHOUT PEOPLE BUYING CANS & BOTTLES OF ALCOHOL MAKING IT WORSE

Crime and Disorder

WE HAVE HAD DRUG DEALERS AND DRUG USERS OVER THE YEARS WE DONT NEED ANOTHER INCENTIVE TO BRING THEM BACK

THERE IS A SUPERMARKET TESCO
100 YDS AWAY THAT SELL ALCOHOL

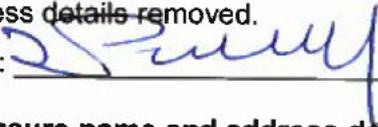
Protection of Children from Harm

Public Safety

I wish my identity to be kept anonymous: Yes / No

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

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

Signature:  Date: 21/4/21

Please ensure name and address details completed above

Return to:

Licensing Service

Licensing Team, Islington Council, 3rd Floor, 222 Upper St, London, N1 1XR.

Or by email to: licensing@islington.gov.uk

Suggested conditions of approval consistent with the operating schedule

1. CCTV shall be installed, operated, and maintained, to function all times that the premises are open for licensable activities. This CCTV shall comply with the following criteria:
 - (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct.
 - (b) 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;
 - (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
 - (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
 - (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
 - (f) The system will record in real time and recordings will be date and time stamped;
 - (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
 - (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act 1998) within 24 hours of any request.
2. No beers lagers or cider above 6.5% ABV to be sold from the premises except for pre- agreed premium products.
3. Copies of all invoices for the purchase of alcoholic products will be kept on-site and made available for inspection by the authorities for a period of at least 12 months.
4. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record:
 - (a) Any and all allegations of crime or disorder reported at the venue
 - (b) Any and all complaints received by any party
 - (c) Any faults in the CCTV system
 - (d) Any visit by a relevant authority or emergency service
 - (e) Any and all ejections of patrons
 - (f) Any and all seizures of drugs or offensive weapons
 - (g) Any refusal of the sale of alcohol.
5. In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:
 - (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
 - (b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;

(c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;

(d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours.

6. Notices will be prominently displayed by the entry/ exit.
 - a) That CCTV is in use & a Challenge 25 proof of age policy is in operation;
 - b) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
 - c) Of the permitted hours for licensable activities & the opening times of the premises;
 - d) Not to drink in the street;
7. A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.
8. No alcoholic goods or tobacco products will ever be purchased or taken from sellers calling to the shop.
9. No spirits shall be purchased in a resealed box.
10. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol or tobacco products.
11. Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premise of this size.
12. All off sales will be sold in sealed containers.
13. Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for the neighbouring properties. Sufficient litter bins will be provided to allow the customers to deposit their waste/ rubbish in the correct manner.
14. Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, HM forces photographic ID card or proof of age card with the PASS logo or hologram on it may be accepted as proof of age.
15. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme.
16. A notice will be displayed at the till either electronically or physically to remind staff to ask for identification.
17. The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:
 - a) The lawful selling of age restricted products
 - b) Refusing the sale of alcohol to a person who is drunk
18. Further verbal reinforcement/ refresher training covering the above will be carried out thereafter at intervals not to exceed six months, with the date and time of the verbal reinforcement/ refresher training documented.

19. All such training undertaken by staff members shall be fully documented and recorded. All training records will be kept at the premises and made available to officers of any responsible authority upon request.
20. The premises shall at all times maintain and operate refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book will be kept at the premises and made available to officers of any responsible authority upon request.

Conditions proposed by the Metropolitan Police (Agreed)

21. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
22. All sales tills will offer a Challenge 25 reminder / prompt the cashier making an alcohol sale to verify that the customer is over 18.
23. No spirits or other alcohol of greater than 18% ABV shall be displayed anywhere other than behind the till, to be selected from the shelf by a member of staff only.

Conditions proposed by the Council's Noise Service (Agreed)

24. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
25. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
26. The delivery of licensable goods to the premises shall be restricted to the hours between 07:00 and 23:00 Monday-Saturday. No deliveries to the premises shall be made on a Sunday or Bank Holiday.
27. The collection of refuse shall be restricted to the hours between 07:00 and 23:00 Monday-Saturday. No waste collections shall be made on a Sunday or Bank Holiday.
28. Bins will be provided to discourage customers patrons from littering the local area



SHOW LAYERS

- COVID-19 +
- Base Mapping +
- Borough Wide +
- Parking +
- Housing +
- LBI Organisations +
- Planning - Policies Map +
- Planning - Other Constraints +
- Historical Maps +

LLPG Search



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19

