

Environment & Regeneration Municipal Office, 222 Upper Street, N1 1XR

Report of: Service Director, Public Protection

Meeting of:	Date:	Ward(s):	
Licensing Sub-Committee	25/11/2021	St. Mary's	
	Non-ex	/empt	



1. Synopsis

- 1.1 This is a hearing to determine a Temporary Event Notice (TEN) in respect of the above premises. The application was submitted on 12th November 2021 and is seeking to allow:
 - The provision of late night refreshment from 00:01 until 05:00 each day from 1st December 2021 until 6th December 2021.
- 1.2 The premises currently holds a licence allowing:
 - The provision of late night refreshment Mondays to Sundays from 23:00 until 02:00 the following day; and
 - The premises to be open to the public Mondays to Sundays from 05:00 until 02:00 the following day.

2. Relevant Representations

Metropolitan Police	No
Noise	Yes

3. Background

- 3.1 Licensing history for the premises:
 - 24th November 2005, premises licence granted by way of conversion under the Licensing Act 2003, allowing the provision of late night refreshment Mondays to Sundays from 23:00 until 00:00;
 - 1st April 2008, premises licence transferred to current licensee, A & L Restaurants;
 - 30th June 2008, premises licence variation, granted by way of Licensing Committee, allowing the provision of late night refreshment, Sundays to Thursdays from 23:00 until 01:00 the following day and Fridays & Saturdays from 23:00 until 01:30 the following day;
 - 12th March 2012, premises licence variation, granted by way of Licensing Committee, allowing the provision of late night refreshment, Mondays to Sundays from 23:00 until 02:00 the following day;
 - 3rd May 2013, premises licence variation application sought to extend the terminal hour for the provision of late night refreshment until 05:00 each day;
 - 9th July 2013, the proposed premises licence variation application detailed above was refused before a licensing sub-committee.
- 3.2 The most recent TEN application for the premises was approved so as to allow the provision of late night refreshment from 00:00 until 05:00 for the period 29th December 2020 until 4th January 2021.

This permission was limited to supply by way of McDelivery Service only in line with the Coronavirus Restrictions in effect at the time.

3.3 The Council's noise service submitted a representation in response to this Temporary Event Notice on 16th November 2021, the representation can be found at Appendix 2 of this report.

4. Recommendations

- 5.1 To determine the TEN under Part 5 of the Licensing Act 2003 as the Licensing Sub-Committee consider appropriate for the promotion of the Licensing Objectives.
- 5.2 The Committee can decide to:
 - i. allow the TEN for the specified event;
 - ii. allow the TEN, subject to one or more conditions of the existing premises licence; or
 - iii. prohibit the TEN by way of a counter notice.

5. 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 from the current premises licence as appropriate to promote the licensing objectives.

Appendices:

- Appendix 1: application form;
- Appendix 2: representation;
- Appendix 3: current premises licence; and
- Appendix 4: map of premises location.

Background papers:

None.

Final report clearance:

Signed by:

- Alle Gibbons

Service Director – Public Protection

23/11/21 Date

Report author: Licensing Service Tel: 020 75027 3031 E-mail: <u>licensing@islington.gov.uk</u>

Appendix 1

ISLINGTON

Islington Temporary Event Notice Licensing Act 2003

For help contact licensing@islington.gov.uk Telephone: 020 7527 3031

* required information

Section 1 of 9			
You can save the form at any time and resume it later. You do not need to be logged in when you resume.			
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.	
Your reference	TEN-MCD-UPP-STR-1-6-DEC-21	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	Ruhel		
* Family name	Miah		
* E-mail	01134@uk.mcd.com		
Main telephone number	07958 084241	Include country code.	
Other telephone number			
🛛 Indicate here if the appli	cant would prefer not to be contacted by telep	hone	
Is the applicant:			
 Applying as a business or organisation, including as a sole trader A sole trader is a business owned by one 			
 Applying as an individua 	al	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	McDonalds 251-252]		
* Street	Upper Street]		
District]		
* City or town	Islington]		
County or administrative area	London]		
* Postcode	N1 1RU			
* Country	United Kingdom]		
Agent Details				
* First name	Joshua Simons & Associates]		
* Family name	Limited]		
* E-mail	jsimons@jsaal.co.uk]		
Main telephone number	07725418439	Include country code.		
Other telephone number				
Indicate here if you wou	ld prefer not to be contacted by telephone			
Are you:				
• An agent that is a busine	A sole trader is a business owned by one			
 A private individual acting as an agent 				
Agent Business Is your business registered in the UK with Companies House?	● Yes ○ No	Note: completing the Applicant Business section is optional in this form.		
Registration number	8030680			
Business name	Joshua Simons & Associates Ltd	lf your business is registered, use its registered name.		
VAT number -	None	Put "none" if you are not registered for VAT.		
Legal status	Public Limited Company			
Your position in the business	Director]		
Home country	United Kingdom	The country where the headquarters of your business is located.		

Continued from previous page		
Agent Registered Address		Address registered with Companies House.
Building number or name	Imperial Place	
Street	4 Maxwell Road	
District		
City or town	Borehamwood	
County or administrative area	Hertfordshire	
Postcode	WD6 1JN	
Country	United Kingdom	
Section 2 of 9		
APPLICATION DETAILS (See a	also guidance on completing the form, gener	ral notes and note 1)
Have you had any previous or	maiden names?	
○ Yes	No	
* Your date of birth	dd mm yyyy	Applicant must be 18 years of age or older
National Insurance number		This box need not be completed if you are an individual not liable to pay UK national insurance.
Place of birth		
Correspondence Address		
Is the address the same as (or s	imilar to) the address given in section one?	If "Yes" is selected you can re-use the details from section one, or amend them as
Yes	○ No	required. Select "No" to enter a completely new set of details.
Building number or name	McDonalds Restaurant, 251-252	
Street	Upper Street	
District		
City or town	Islington	
County or administrative area	London	
Postcode	N1 1RU	
Country	United Kingdom	

Continued from previous page			
Additional Contact Details			
Are the contact details the sam	ne 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	
Yes	○ No	required. Select "No" to enter a completely new set of details.	
E-mail	01134@uk.mcd.com		
Telephone number	07958 084241		
Other telephone number			
Section 3 of 9			
THE PREMISES			
activity at the premises describ Give the address of the premise	ve notice under section 100 of the Licensing Ac bed below. es where you intend to carry on the licensable a nance Survey references). <u>(See also guidance o</u>	activities or if it has no address give a detailed	
* Does the premises have an ad	ddress?		
Yes	○ No		
Address			
Is the address the same as (or s	imilar to) the address given in section one?	If "Yes" is selected you can re-use the details	
• Yes	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.	
* Building number or name	McDonalds Restaurant 251-252		
* Street	Upper Street		
District			
* City or town	Islington		
County or administrative area	London		
* Postcode	N1 1RU		
* Country	United Kingdom		
* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?			
○ Neither	es licence O Club premises certificate		
* Premises licence number	LN9778-230215		
Location Details			
* Provide further details about	the location of the event		
McDonalds 251 - 252 Upper St	reet N1 1RU - Late night refreshment from the I	Mc Donalds menu.	

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Describe the nature of the premises below (see also guidance on completing the form, note 4)

A McDonalds quick service restaurant with takeaway facilities. The premises provides a range of quick service hot and cold food and beverage items from the Mc Donalds menu.

Describe the nature of the event below (see also guidance on completing the form, note 5)

This is the first in a series of TEN applications that is being applied for to permit over the month of December leading up to Christmas and New Years Day extended opening timings for the provision of late night refreshment from the Mc Donalds Christmas and Standard Menus. The existing premises licence already permits the provision of late night refreshment up until 02:00 for 7 days a week and so the additional extension is for 3 hours.

To protect staff, contractors and customers during the extended timings the applicant via the franchise operator shall have in place all those control measures set out under annex 2 (numbered 1-12) and annex 3 (numbered 1-2) of the current premise licence operating schedule to promote the relevant licensing objectives.

Section 4 of 9 LICENSABLE ACTIVITIES State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6): The sale by retail of alcohol The supply of alcohol by or on behalf of a club to, or to the order of, a \square member of the club (See also guidance on completing the form, The provision of regulated entertainment note 7). The provision of late night refreshment Late notices can be given no later than 5 The giving of a late temporary event notice working days but no earlier than 9 working days before the event. (See also guidance on completing the form, note 8). **Event Dates**

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

Continued from previous page		
Event start date	01 / 12 / 2021 dd mm yyyy	The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.
Event end date	06 / 12 / 2021 dd mm yyyy	
State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock) (see also guidance on completing the form, note 10)		
State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (see also guidance on completing the form, note 11)	55	Note that the maximum number of people cannot exceed 499.
supplies will be for consumption (see also guidance on complete O On the premises only	nclude the supply of alcohol, state whether the on on or off the premises, or both ing the form, note 12):	
 Off the premises only Both 		
Section 5 of 9		
RELEVANT ENTERTAINMENT	See also guidance on completing the form	n, note 13)
period that you propose to pro	will include the provision of relevant entertain ovide relevant entertainment	
No regulated entertainment w	nii be provided.	
Section 6 of 9		
PERSONAL LICENCE HOLDERS	S <u>(See also guidance on completing the form</u>	n, note 14)
Do you currently hold a valid personal licence?	⊖ Yes ⊙ No	
Section 7 of 9		
PREVIOUS TEMPORARY EVEN	IT NOTICES (See also guidance on completing)	ig the form, note 15)

Continued from previous page				
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	۲	Yes	0	No
State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	1			
Have you already given a temporary event notice for the same premises in which the event period: a) Ends 24 hours or less before; or b) Begins 24 hours or less after the event period proposed in this notice?	0	Yes	۲	No
Section 8 of 9				
ACCOCIATEC AND DUCKIES			-	
ASSOCIATES AND BUSINESS	COLL	EAGUES (See also	o gui	dance on completing the form, note 16)
ASSOCIATES AND BUSINESS Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?		EAGUES (See also Yes	o gui	dance on completing the form, note 16) No
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event	0			

Continued from previous page	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) Ends 24 hours or less before; or b) Begins 24 hours or less after the event period proposed in this notice?	○ Yes ● No
Section 9 of 9	
CONDITION <u>(See also guida</u>	nce on completing the form, note 18)
-	rary event notice that where the relevant licensable activities described in Sections 4 and 5 Icohol that all such supplies are made by or under the authority of the premises user.
PAYMENT DETAILS	
This fee must be paid to the a	uthority. If you complete the application online, you must pay it by debit or credit card.
This formality requires a fixed	fee of £21
DECLARATION (See also gui	dance on completing the form, note 19)
* The information contained in	n this form is correct to the best of my knowledge and belief
* I understand that it is an offe	ence:
	make a false statement in connection with this temporary event notice and that a person is an offence to a fine up to level 5 on the standard scale; and
· · · · · · · · · · · · · · · · · · ·	d licensable activity to be carried on at any place and that a person is liable on conviction for ot exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
Iicking this box indica	tes you have read and understood the above declaration
This section should be comple behalf of the applicant?"	eted by the applicant, unless you answered "Yes" to the question "Are you an agent acting on
* Full name	Ruhel Miah
* Capacity	Applicant
* Date	11 / 11 / 2021 dd mm yyyy
	Add another signatory
Once you're finished you need 1. Save this form to your comp 2. Go back to <u>https://www.go</u> continue with your applicatio	outer by clicking file/save as <u>w.uk/apply-for-a-licence/temporary-event-notice/islington/apply-1</u> to upload this file and

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

OFFICE USE ONLY

Applicant reference number	TEN-MCD-UPP-STR-1-6-DEC-21
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	
1 <u>2</u> <u>3</u> <u>4</u>	<u>5 6 7 8 9</u> Next >

Whitton, Daniel

From:	Ford, Andrew
Sent:	16 November 2021 16:57
То:	Burrell, Ryan; CNMailboxIslingtonPoliceLicensingTeam@met.police.uk; Whitton, Daniel
Cc:	Lane, Terrie
Subject:	RE: TEN RA: McDonald's, Ground Floor And Basement, 251-252 Upper Street, Islington, London, N1 1RU.

The Pollution team object to this TEN.

This TEN proposes to significantly increase the potential noise between 2am and 5am from the premises and from deliveries from the premises offering minimal mitigation to limit or prevent noise affecting local residents etc. by extending condition 1 from Annex 3 for the duration of the TEN.

Annex 3

1. Persons leaving the premises will be advised, by written notice prominently displayed and verbally where necessary, to leave the area quietly and without causing disturbance in the neighbourhood.

At a minimum I would expect conditions covering the period of late night refreshment to be in place to limit any noise disturbance to residents etc. particularly from delivery riders, for example:

- No internal combustion engine vehicles will be used for deliveries from the premises.
- The licensee shall ensure that delivery riders do not park or loiter in the vicinity of residential premises.
- Delivery riders will conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address.
- Prominent, clear and legible notices must be displayed at all exits requesting staff and delivery riders to respect the needs of local residents and to leave the premises and the area quietly.

It is disappointing that little consideration has been given to measures to reduce potential noise impacts.

Andrew Ford Environmental Pollution Manager Islington Council t :020 7527 2022

From: Burrell, Ryan <Ryan.Burrell@islington.gov.uk>
Sent: 16 November 2021 14:38
To: CNMailbox-.IslingtonPoliceLicensingTeam@met.police.uk; Whitton, Daniel <Daniel.Whitton@islington.gov.uk>
Cc: Lane, Terrie <Teresa.Lane@islington.gov.uk>; Ford, Andrew <Andrew.Ford@islington.gov.uk>
Subject: TEN RA: McDonald's, Ground Floor And Basement, 251-252 Upper Street, Islington, London, N1 1RU.

Dear RA,

We have received the following attached application(s) for a **STANDARD** TEMPORARY EVENT NOTICE:

Worksheet Number: WK/200093956 Applicant Details: Mr Ruhel Miah, McDonald's, Ground Floor And Basement, 251-252 Upper Street, Islington, London, N1 1RU. Premises: McDonald's,



PREMISES LICENCE

LICENSING ACT 2003

Premises licence	LN/9778-040419
number	

Date of original grant*

24 November 2005

*An annual fee associated with this licence is to be paid on the anniversary of the original grant date.

Postal address of premises, or if none, ordnance survey map reference or description

MCDONALD'S RESTAURANT

251 UPPER STREET

Post townLondonTelephone number020 7354 4392

Post code

N1 1RU

Where the licence is time limited the dates Not Applicable

Licensable activities authorised by the licence Ground floor

• The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities					
The provision	The provision of late night refreshment:				
Monday	23:00	to	02:00	the following day	
Tuesday	23:00	to	02:00	the following day	
Wednesday	23:00	to	02:00	the following day	
Thursday	23:00	to	02:00	the following day	
Friday	23:00	to	02:00	the following day	
Saturday	23:00	to	02:00	the following day	
Sunday	23:00	to	02:00	the following day	

Gaming Machine Provision: Not permitted.

The opening hours of the premises:

Monday	05:00	to	02:00	the following day
Tuesday	05:00	to	02:00	the following day
Wednesday	05:00	to	02:00	the following day
Thursday	05:00	to	02:00	the following day
Friday	05:00	to	02:00	the following day
Saturday	05:00	to	02:00	the following day
Sunday	05:00	to	02:00	the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies Not authorised Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence A & L Restaurants Limited The Accounting Centre Ltd 1 Archgate Business Centre 823-826 High Road

London N12 8UB

Registered number of holder, for example company number, charity number (where applicable)

04437266

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol Not applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol Not applicable

Islington Council Public Protection Division 222 Upper Street London N1 1XR T: 020 7527 3031 E: licensing@islington.gov.uk

Service Manager (Commercial)

Date of Issue

Annex 1 - Mandatory conditions

None.

Annex 2 - Conditions consistent with the Operating Schedule

- 1. Shift managers shall have documented safety and security training.
- 2. The maximum number of persons (including staff) permitted on the premises at any one time is:

• 87 on the Ground and Basement Floors.

- 3. The licensee shall work in partnership with the local police force to prevent crime and disorder.
- 4. CCTV shall be installed, operated, and maintained, to function at all times that the premises is open for licensable activities. Said CCTV will 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 on demand by the Police or an authorised officer from London Borough of Islington, in the lawful execution of their duty.

c) The Police Licensing Team will be informed by email 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.

In the event there is no member of staff on duty that can operate the CCTV system the requested footage will be made available within 24 hours of request"

h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge on reasonable demand by the Police or an authorised officer from London Borough of Islington, in the lawful execution of their duty. Subject to the data protection act 1998 or any subsequent legislation and this must be done without reasonable excuse, within 24 hours of any request.

- 5. CCTV shall be maintained at the premises when the premises is open to the public. CCTV images shall be held for 28 days and access to the CCTV system shall be provided to police officers and council officers at their request.
- 6. The CCTV system shall meet the industry standard and will have Kalegate Certification.
- 7. The CCTV system shall have an alarm that will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene.
- 8. The licensee shall work in partnership with local Fire Service and Environmental Health Officers to ensure public safety.
- 9. Doors shall be maintained self-closing and customers shall be encouraged to be considerate to neighbours and limit noise when leaving the vicinity of the premises.
- 10. A "No open Alcohol Containers" policy shall be in place to prevent persons carrying open alcohol into the in-store area.
- 11. A & L Restaurants t/a McDonald's will carry out litter patrols during the hours the store is open, ensuring that the area behind the store known as Swan Yard is checked at least three times per day and all litter found at that time will be collected. In addition, when the main storage bins located behind the premises are accessed for disposal of other litter, further checks will be made and any litter found at that time will also be cleared.

- 12. The licensee shall act on recommendations of the Environmental Health Officer concerning extending litter patrols, as far as is reasonably practical.
- 13. 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 reasonably practicable, all measures will be taken to identify suspects pending the arrival of the Police

c) As far as is safe and reasonably practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the Police. All staff will receive training and guidance from the Metropolitan Police in Crime Scene Preservation

- 14. An incident log shall be kept at the premises, and made available on demand by the Police or an authorised officer from London Borough of Islington, in the lawful execution of their duty, which will record:
- a) All allegations of crime or disorder reported at the venue
- b) All complaints received by any party
- c) Any faults in the CCTV system
- d) Any visit by a relevant authority or emergency service
- e) All ejections of patrons
- f) All seizures of drugs or offensive weapons

Annex 3 - Conditions attached after a hearing by the licensing authority

- 1. Persons leaving the premises will be advised, by written notice prominently displayed and verbally where necessary, to leave the area quietly and without causing disturbance in the neighbourhood.
- 2. That access to a toilet is made available at all times whilst the premises is open.

Annex 4 – Plans

Reference Number: L/1134/001 – July 2005



Premises Licence Summary

Licensing Act 2003

Premises licence number	LN/9778-04	0419		Date of origina grant*	al 24 Nov	vember 2005		
*An annual fee associated with this licence is to be paid on the anniversary of the original grant date.								
Postal address of pre	mises, or if r	none, ordna	anc	e survey map r	eference o	or description		
	МСІ	DONALD'S	RE	STAURANT				
		251 UPPE	RC	DIREEI				
Post town Long	Post town London				t code	N1 1RU		
Telephone number 020 7354 4392								
Where the licence is the Not Applicable	ime limited t	ne dates						
Not Applicable								
Liconcoble activition	authorized b	v the licen	~~					
Licensable activities authorised by the licence Ground floor								
The provision of late night refreshment								
The times the license	authoriaaa t	he corruind		ut of licenschie	aativitiaa			
The times the licence authorises the carrying out of licensable activities								
The provision of late night refreshment:								
Monday	23:00 to	02:00		the following day				
,	23:00 to	02:00	the following day					
5	23:00 to	02:00	the following day					
	23:00 to	02:00		the following day				
Friday	23:00 to	02:00	the following day					
	23:00 to	02:00	the following day					
Sunday	23:00 to	02:00	the following day					

Gaming Machine Provision: Not permitted.

The opening hours of the premises:

Where the licence authorises supplies of alcohol whether these are on and/or off supplies Not authorised Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence A & L Restaurants Limited The Accounting Centre Ltd 1 Archgate Business Centre 823-825 High Road London N12 8UB

Registered number of holder, for example company number, charity number (where applicable) 04437266

Name of designated premises supervisor where the premises licence authorises the supply of alcohol Not applicable

State whether access to the premises by children is restricted or prohibited No restrictions

Islington Council Public Protection Division 222 Upper Street London N1 1XR T: 020 7527 3031 E: <u>licensing@islington.gov.uk</u>



