



**Report of: Service Director, Public Protection**

|                             |              |                 |
|-----------------------------|--------------|-----------------|
| <b>Meeting of:</b>          | <b>Date:</b> | <b>Ward(s):</b> |
| Licensing Sub-Committee - A | 31/05/2022   | Bunhill         |

|  |        |            |
|--|--------|------------|
|  | Exempt | Non-exempt |
|--|--------|------------|

**SUBJECT: PREMISES LICENCE NEW APPLICATION**  
**RE: MR CHANS, 21 CLERKENWELL ROAD, EC1M 5RD**

**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 provision of Late-Night Refreshment Monday to Sunday, from 23:00 to 03:00.
- The opening hours are Monday to Sunday, from 11:30 to 03:00.

**2. Relevant Representations**

|                       |                       |
|-----------------------|-----------------------|
| Licensing Authority   | Yes:                  |
| Metropolitan Police   | Yes:                  |
| Noise                 | No: Conditions agreed |
| Health and Safety     | No                    |
| Trading Standards     | No                    |
| Public Health         | No                    |
| Safeguarding Children | No                    |
| London Fire Brigade   | No                    |

|                 |                         |
|-----------------|-------------------------|
| Local residents | Yes: One local resident |
| Other bodies    | No:                     |

### **3. Background**

- 3.1 This property has not previously been licensed.
- 3.2 An application for a new premises licence was submitted on 15 March 2022.
- 3.3 The Licensing Authority received representations from the Police, the Council's Noise Service, and a local resident. The applicant accepted all the conditions, and the Noise Service withdrew their representation. The Police representation still stands as the hours applied for are outside the framework hours.
- 3.4 Following receipt of the representations the applicant wrote to the representors responding to their comments advising of the nature of the application and business.

### **4. Planning Implications**

- 4.1 The Planning & Development Section have the following comments to make in relation to the above license application.
- 4.2 The property is not a listed building but is located within the Clerkenwell Green conservation area.
- 4.3 Planning permission was granted on 22 November 1993 for the "Change of use of basement and ground from retail (A1) to hot food takeaway (A3) and installation of ducting to rear elevation. (ref 931285).
- 4.4 The application was not subject to any conditions restricting the hours of operation and Condition 2 (details for installation of extract ducting to rear elevation) was discharged on 08 July 1994 (ref 940392).
- 4.5 There is therefore no planning conflict in terms of the current use or conditions that would affect this license application.
- 4.6 There are no planning enforcement cases open in relation to the property and as such, no objection is raised.

### **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 Clerkenwell Cumulative Impact Area therefore the Licensing Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.
- 5.3 If the Committee grants the application, it should be subject to:

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

## **6. Reasons for recommendations**

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

### **Appendices:**

- Appendix 1: application form.  
Appendix 2: representations.  
Appendix 3: applicant response to representations.  
Appendix 4: suggested conditions and map of premises location.

### **Background papers:**

None.

### **Final report clearance:**

**Signed by:**



Service Director – Public Protection

Date 20 May 2022

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: [licensing@islington.gov.uk](mailto: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

Not Currently In Use

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

Altaf

\* Family name

Howlader Shamim

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

**Applicant Business**

Is your business registered in the UK with Companies House?

Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

Mr Chans Cuisine LTD

If your business is registered, use its registered name.

VAT number

-

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

Legal status

Private Limited Company

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## 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

### NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

DIRECTOR

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /

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

**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

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.

Its a Chinese takeaway shop and we will be serving hot food to our customers walk-in, on-line or over the phone. The premises has 2 floors Ground and basement. Basement is only used for preparation and storage, while all the cooking and business duties are performed on the ground floor.

*Continued from previous page...*

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

### 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?

- Yes  No

### 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?

Continued from previous page...

**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

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

*Continued from previous page...*

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

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

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

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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.

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**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**

**Continued from previous page...**

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.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

*Continued from previous page...*

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.

**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.

b) The prevention of crime and disorder

Install CCTV for safety and security of staff members as well as customers

c) Public safety

d) The prevention of public nuisance

We wont be playing any music at the premise so it wont be a problem for any of the neighbors and most of the premises around are offices so I believe it will not be a problem for anyone.

e) The protection of children from harm

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

**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.

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**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&nbsp;domestic rateable&nbsp;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](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

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

**Address**

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

**DECLARATION**

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

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

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

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

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

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**

Continued from previous page...

**Address**

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

**DECLARATION**

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

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

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

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

|                   |  |
|-------------------|--|
| * Full name       | <input type="text" value="ALTAF HOWLADER SHAMIM"/> |
| * Capacity        | <input type="text" value="DIRECTOR"/>              |
| Date (dd/mm/yyyy) | <input type="text" value="13/05/2022"/>            |

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.

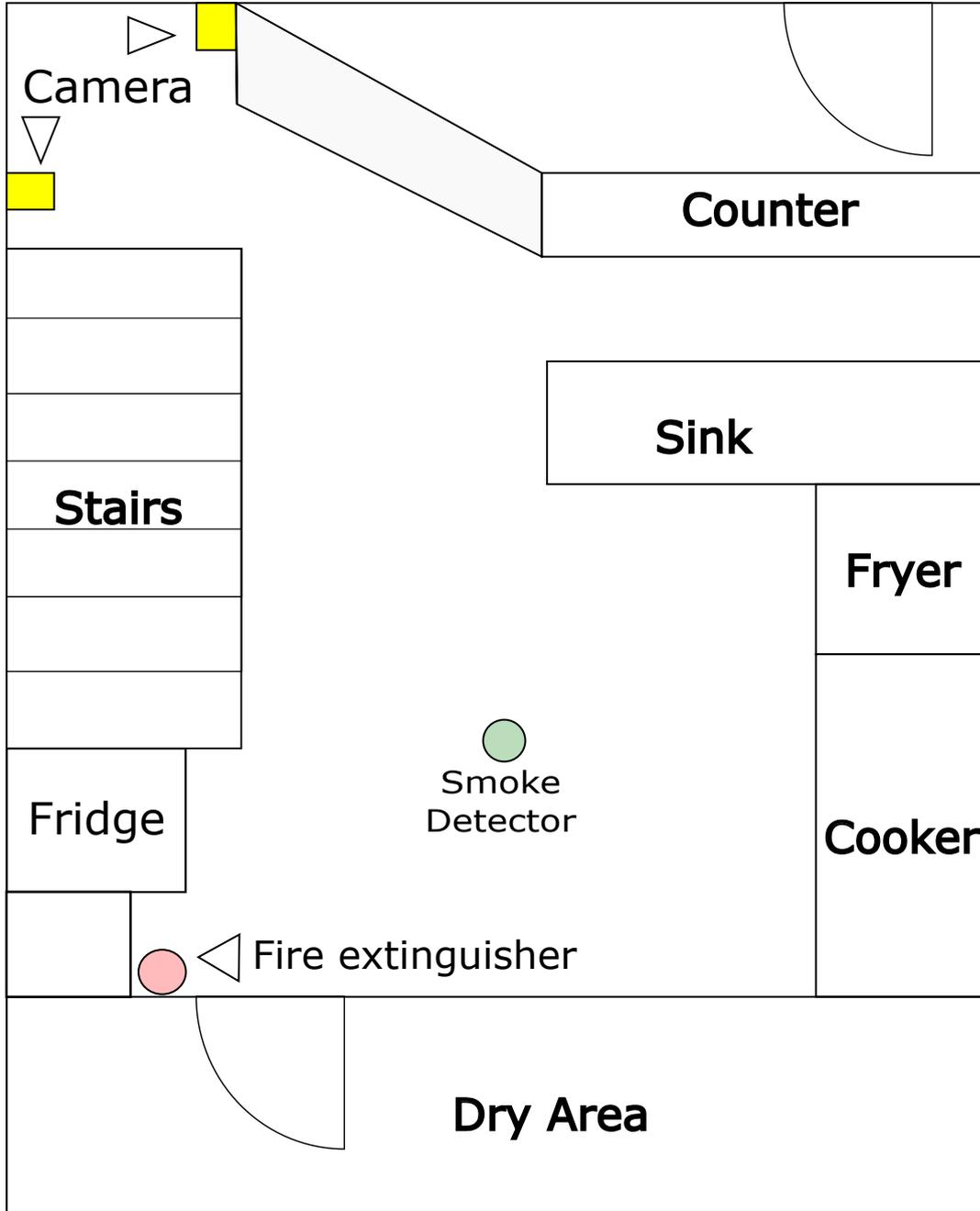
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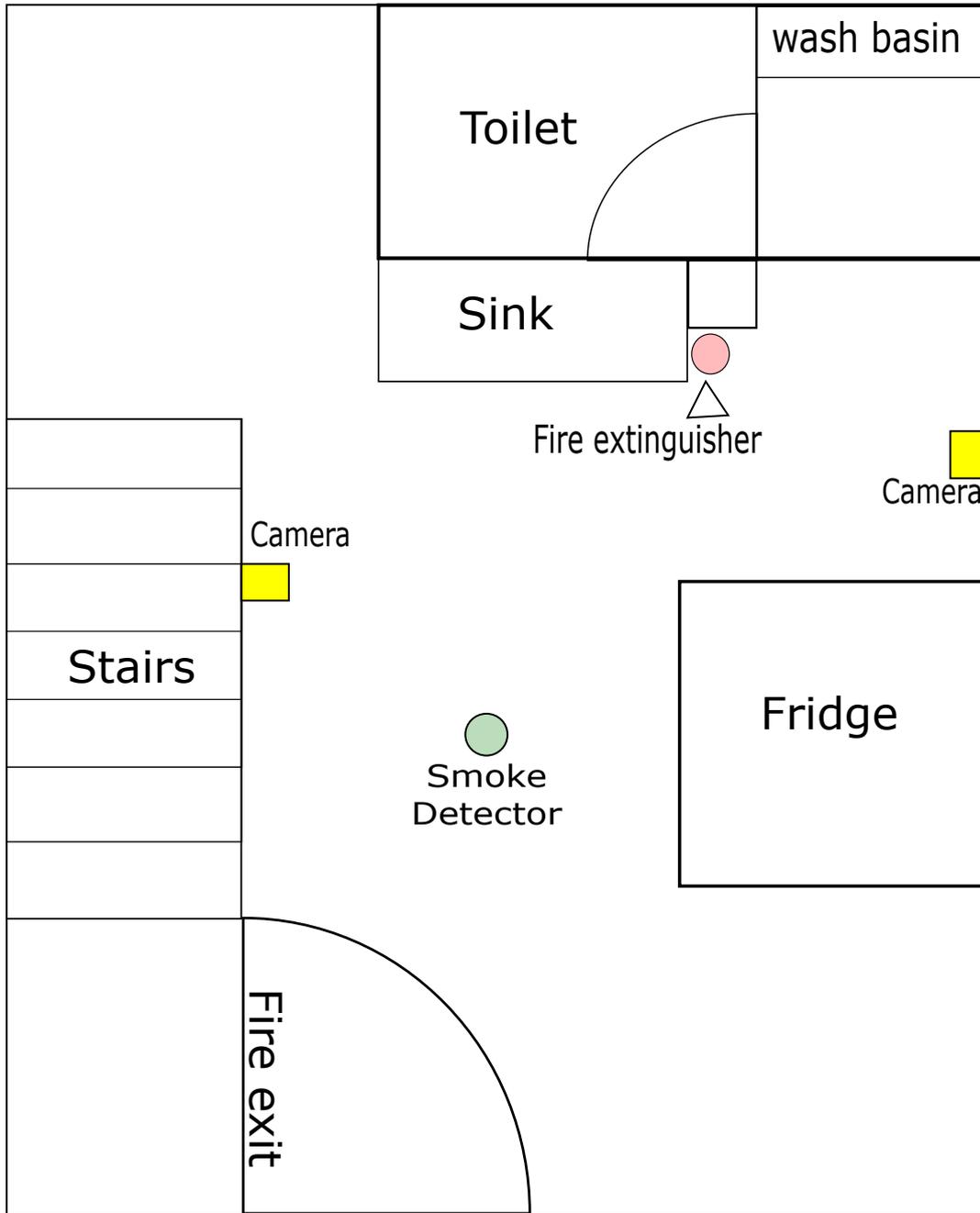
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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**

Street

Entrance  
&  
Fire exit



# Basement



## **Licensing Authority Representation**

### **Licensing Act 2003**

Application for a new premises licence in respect of:

#### **Mr Chans, 21 Clerkenwell Road, EC1M 5RD**

Licensable activities and timings applied for are to provide late night refreshment, on and off the premises from 2300 to 0300 each day.

#### **The grounds for the representation are:**

Public nuisance

Prevention of crime and disorder

### **Licensing Policy Considerations**

Licensing Policy 6 - Licensing Hours

Licensing Policy 22 - Noise associated with licensable activities

### **Issues of Concern**

The applicant has not put forward any mitigation or information in the operating schedule to demonstrate that these premises would not have a negative impact on nearby residents, in an area with many late night premises and outlets for take away and delivery of food.

**Licensing Policy 6 - Licensing Hours-** The hours applied for are outside of the recommended policy hours for premises selling hot food and drink supplied by takeaway and fast food premises, which is Sundays to Thursday 11pm to midnight and on Fridays and Saturdays 11pm to 1am.

**Licensing Policy 22** - The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will impose appropriate restrictions and controls on the premises licence to prevent public nuisance and undue disturbance to local residents from licensed premises

### **Recommendations**

The Licensing Authority suggests that the Committee consider the effect of delivery drivers in the local area and ask that all deliveries be by non-motorised vehicles, and, that the management of the premises monitor the behaviour of the drivers and take action on any drivers causing anti-social behaviour.

The Licensing Authority recommends that the Licensing Sub Committee consider the application and the lack of information in the operating schedule, bearing in mind that the premises could attract customers from late night drinking premises in the area, who may loiter rather than leave the area. Consider any resident's representations, any conditions suggested by the Council's Pollution Team and the Police and Islington Council's Licensing Policy.

Terrie Lane

Licensing Manager

Public Protection Division

0207 527 3031

[licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

07/04/2022



Mr Chans Cuisine Ltd  
21 Clerkenwell Road  
Islington  
London EC1M 5RD

Islington Police Licensing Team  
Islington Police Station  
2 Tolpuddle Street  
Islington  
London N1 0YY

Our ref: WK/220008647  
20<sup>th</sup> March 2022

Dear Altaf,

PREMISES –MR CHAN'S CHINESE TAKEAWAY , BASEMENT & G/F, 21  
CLERKENWELL ROAD , ISLINGTON , LONDON EC1M 5RD

Thank you for your new premises licence application regarding the above premises.

Please accept this e-mail as my initial representation.

As you will be aware, police hold responsibility for ensuring that with any application the licensing objectives are promoted, supported and adhered to, and that proposals for premises licences do not invite any heightened risk or likelihood of crime, disorder or anti-social behaviour which should always be prevented wherever possible.

To that end there are 6 conditions which I deem appropriate in the circumstances that I would expect to see included in your application for a licence for this premises.

I thank you for your already offered entries under heading 18– promoting the licensing objectives. Any representations I would make under these entries would be minor and would only relate to proposed wording of licence conditions and slight amendments to CCTV provision etc.

At present your proposed hours fall outside of the framework hours for hot food and drink supplied by takeaways & fast food premises which are SUN-THURS 11pm to midnight and FRI-SAT 11pm to 1am the following morning so I would ask you to look again at the hours you are requesting.

These conditions should not affect the intended use or operating policy I believe and should be considered as good practice in line with police expectations and the Statement of Licensing Policy 2018-2022 as published by Islington Council on their own website if you aren't already familiar with it:

1) 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.

2) 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

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

(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 2018) within 24 hours of any request .

(i) Signage stating that CCTV is in operation will be clearly and prominently displayed at the premises.

4) The licence holder will at all times maintain adequate levels of staff and security

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

6) The premises shall work in partnership with all responsible authorities to ensure the promotion of the 4 licensing objectives and shall also seek to work with the local communities, in achieving a successful cohesion between their business operations and their neighbours.

I hope that you are happy with the proposed conditions and the wordings given and you feel able to revisit the hours you are applying for.

I will be in liaison with your council licensing officer Natasha O'Donoghue, who I have copied in so that she is aware of my visit and initial police representations and also as currently your application is outside of framework hours and timings and/or sited within one of the Council's Cumulative Impact Policy Areas

Please reply by e-mail with your agreement to these police initial representation should that be your wish once you have considered them as well as your decision re the hours applied for once you have sought any advice or clarification that you wish .

I would of course be very happy to discuss or clarify any queries or reservations you may have.

This application is obviously time sensitive so a prompt response would be appreciated. The date for last representations is 12/04/2022.

I look forward to your response.

Kind Regards,

Tim

**Tim Livermore** | Constable | Islington Borough – Licensing Team

**Address** Islington Police Station, 2 Tolpuddle Street , Islington , London N1 0YY

T07919547416 – Licensing Team mobile

**Email** [Tim.J.Livermore@met.police.uk](mailto:Tim.J.Livermore@met.police.uk)

Licensing Team mailbox - [Email CNMailbox-IslingtonPoliceLicensingTeam@met.police.uk](mailto:CNMailbox-IslingtonPoliceLicensingTeam@met.police.uk)

**Protective Marking:** Treat all mail as **OFFICIAL** unless otherwise stated



[Click here to see what we are doing for you @MPSIslington](#)

[Click here to find contact details for your local Neighbourhood Team](#)



**From:** [REDACTED]  
**To:** [O'Donoghue, Natasha](#)  
**Subject:** Re: Notice of Hearing - New Premises Licence application - Mr Chans, 21 Clerkenwell Road  
**Date:** 17 May 2022 15:39:10

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[External]

Dear Natasha,

Thank you for your support, i believe I did respond on your last email, would you kindly see my email. As below:

i would like to mention some of the point regarding the objection. As we believe this is a take way business and not selling alcohol,

Therefore, it is not making any more noise as it come and go. so, the customer would not be able to stay longer than 5 minutes in the premises and would not be create any noise. And the rider also is not allowed to park Infront of our shop as it is not any parking bay next to the shop. The shop is situated next to the traffic light.

Therefore, it won't be possible to create noise and mostly the rider come to the premises as bicycle to collect to the food.

So far, the customer and rider both are not creating any noise that we believe .

in respect to the residence, we will put a note in the front door that certain time such as after 10:45 pm (22:45 pm) all the customer and rider should not be allowed to make noise while collecting food or ordering from this takeaway.

Moreover, this is a busy road, and this noise can't be any change whether we open or close till 3:00am.

Furthermore, we humble request to the authority to consider the business hours we apply for and allow to grow our business as we already suffering from covid lockdown and still surviving.

Kind regard's

Altaf

Many Thanks

### Conditions agreed with the Metropolitan Police

1. 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.
2. 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
3. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:
  - 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 2018) within 24 hours of any request.

- i) Signage stating that CCTV is in operation will be clearly and prominently displayed at the premises.
4. The licence holder will, at all times maintain adequate levels of staff and security
5. The premises licence holder shall ensure that all sales staff receive appropriate training in relation to managing conflict and the health and safety of the public and staff. Training documents shall be signed and dated and will be held in a suitable hard copy log, to be made available to a Police Officer or Council Officer upon request. Said records shall be retained for 12 months.
6. The premises shall work in partnership with all responsible authorities to ensure the promotion of the 4 licensing objectives and shall also seek to work with the local communities, in achieving a successful cohesion between their business operations and their neighbours.

#### **Conditions agreed with the Council's Noise Service**

7. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
8. Noise and/or odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.
9. In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.
10. 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.
11. The delivery of goods to the premises shall be restricted to the hours between 07:00 and 23:00 Monday to Saturday. No deliveries of goods to the premises shall be made on a Sunday or Bank Holiday.
12. The collection of refuse shall be restricted to the hours between 07:00 and 23:00 Monday to Saturday. No waste collections shall be made on a Sunday or Bank Holiday.
13. The outside frontage shall be swept and cleared of any rubbish and smoking litter associated with the business towards the end of trade each evening.
14. The licensee shall practice best endeavours to ensure that no internal combustion engine vehicles are used for deliveries from the premises.
15. If internal combustion engine vehicles are used for deliveries from the premises, the licensee shall ensure that drivers do not park or loiter in the vicinity of residential premises.
16. The premises will operate a no idling policy.
17. Delivery drivers 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.



SHOW LAYERS

Base Mapping

MASTERMAP

Islington and surrounding Borough Boundaries

Islington Borough Boundary

LLPG Points (Postal)

LLPG Search

LLPG Simple Search

NLPG Points 100m Buffer to Islington (Postal)

LLPG Points (Non-postal and Postal)

