

Public Protection/Licensing  
222 Upper Street, London  
N1 1XR

Report of: Director of Public Protection

Meeting of: Licensing Sub-Committee

Date: 28/09/2022

Ward(s): Clerkenwell



**Subject:**

**PREMISES LICENCE NEW APPLICATION**

**Re: TABAC CAFE, 45 EXMOUTH MARKET  
LONDON EC1R 4QL**

## 1. Synopsis

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

1.2. The new application is to allow:

- **The On Sales of Alcohol the premises only between midday and 23:00  
Sunday to Thursday and midday until 23:30 Friday and Saturday**

**Note: The application terminal hour for the sale of alcohol for Friday  
and Saturday was originally midnight.**

### 1.3. Relevant Representations:

Licensing Authority	No
Metropolitan Police	No - Conditions Agreed
Noise	No - Conditions Agreed
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: Three
Other bodies	No:

## 2. Recommendations

- 2.1. To determine the application for a new premises licence under Section 17 of the Licensing Act 2003;
- 2.2. These premises are located in the Clerkenwell Cumulative Impact Area therefore the Licensing Sub-Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Sub-Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.
- 2.3. If the Licensing Sub-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 Licensing Sub-Committee to promote the four licensing objectives.

## 3. Background

- 3.1. The property was not licensed before. It previously operated as a hair dressers.

- 3.2. This is an application for on sales of alcohol from midday until 23:00 Sunday to Thursday and from midday until 23:30 Friday and Saturday.
- 3.3. The original application asked for a terminal hour for the sale of alcohol was midnight on Friday and Saturday.
- 3.4. The application received six representations from local residents. However, three of these representations have been withdrawn.
- 3.5. In response to the representations, the applicant wrote to the residents outlining the nature of his business and inviting them to meet with him to discuss their concerns. Subsequently, the three residents mentioned in 3.4 of this report withdrew their representations, as they were satisfied with the proposals.
- 3.6. The applicant has accepted conditions requested with the Police and Islington's Noise Service. The agreed conditions have been sent to the three residents making representations.

## 4. Implications

### 4.1. Financial Implications

- 4.1.1. The Head of Finance reports that the applicant has paid the application fee of £190.00. Should the application be refused, the fee is not refundable.

### 4.2. Legal Implications

- 4.2.1. The legal implications are set out in Paragraph 2.
- 4.2.2. Legal advice will be provided at the meeting of the Licensing Sub-Committee as necessary.

### 4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

- 4.3.1. The Licensing Sub-Committee need to consider the impacts that that proposals will have on the environment. An impact is defined as any change to the environment, whether positive or negative, wholly or partially resulting from Council activities. Almost all human activity has some impact on the environment, and it is very unlikely that any activity will not have any implications.

### 4.4. Equalities Impact Assessment

4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2. An Equalities Impact Assessment is not required in relation to this report, because this is a decision relating to a Premises Licence application under the Licensing Act 2003.

#### 4.5. **Planning implications**

4.5.1 The property has an established A3/A1 use class (café/hair dressers) both of which now fall within the new Class E.

There are no open enforcement cases in relation to the property.

## 5. Conclusion and reasons for recommendations

5.1. That the Licensing Sub-Committee determines this application.

#### **Appendices:**

Appendix 1: application form;

Appendix 2: representations;

Appendix 3: response from the applicant to the representors;

Appendix 4: suggested conditions and map of premises location.

#### **Background papers:**

- None.

**Final report clearance:**

Signed by:

A handwritten signature in blue ink, appearing to be 'BAM', with a long horizontal line extending to the right.

Besserat Atsebaha

**Interim Director Public Protection and Regulatory Services**

Date: 21/09/22

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

Andrew

\* Family name

Ogley

\* 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

WANG &amp; OGLEY LIMITED

If your business is registered, use its registered name.

VAT number

 -  None

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...

Limited company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  Documents that demonstrate entitlement to work in the UK

**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.

an independent cafe bar serving hot drinks, light snacks and alcohol. the cafe is situated on a small market high street in central London. The bar is mainly seating with around 30-40 capacity. It's over just one floor with storage space next to the bar area and a small WC. Exterior the shopfront, there is a small area which can fit 8-10 people seating and space in the back garden for 10-12 people

*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

### 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

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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.

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.

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

**Name**

First name

Family name

Date of birth  /  /   
                  ■           ■           yyyy

Continued from previous page...

**Enter the contact's 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"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

**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.

**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.

Continued from previous page...

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.

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)

**Continued from previous page...**

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

- training members of staff on the licensing objectives on induction
- requesting ID from customer to comply with laws related to alcohol.
- Actively keep up to date with new law changes and apply.

**b) The prevention of crime and disorder**

- not to serve people who are intoxicated
- regular sweeps on the premises including outside (includes frequent toilet checks)
- CCTV set up throughout the premises
- adhering to weights & measures act

**c) Public safety**

- well lit entrance points
- clear paths to and from points of the cafe
- appropriate signs should any hazards occur

**d) The prevention of public nuisance**

- asking patrons to leave quietly with signage.
- to have a lower volume of music nearer the closing hour
- restrict outside opening an hour before close

**e) The protection of children from harm**

- to not allow children in after a certain time.
- to keep products not appropriate for children out of reach

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

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**

**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: Tabac Café, Ground Floor, 45 Exmouth Market, Islington, London, EC1R 4QL

Your Name: [REDACTED]

Interest: Resident in street

(E.g. resident, business, TRA Chair, Councillor, solicitor)

Your Address:

[REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

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** While the buzzy joy of the street is its concentration of bars, restaurants & cafés, the continued presence also of "useful" shops (deli, ironmonger, pharmacy) is part of the successful mix. Yet another bar (where once there was a barbershop) will unbalance that mix.

**Crime and Disorder**

**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:

[Empty box for explanation of anonymity request]

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

[Redacted signature]

Date:

26/08/2022

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

From: [REDACTED]  
To: [Licensing](#)  
Subject: WK/220025500 | Re TABAC CAFE GROUND FLOOR, 45 Exmouth Market, EC1R 4QL  
Date: 26 August 2022 00:29:51

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[External]

RE Licensing Act 2003 - Premises License Application New

Dear Sir / Madam

I received a notification of above mentioned Licence Application for 45 Exmouth Market to sell alcohol to be consumed on and off the premises

I've been a resident [REDACTED], right [REDACTED] the proposed venture, since 2006 and always loved the spirit of the market, therefor, not objecting to a vibrant restaurant culture, but post Covid with more and more tables & punters on the sidewalk and more focus on bars / a drinking culture, as opposed to restaurants, it's become a little unbearable with noise . Do the residents on Exmouth Market have any say in the rising noise levels?

Specifically referring to:

1. The prevention of Public Nuisance

- what measurements will apply to keep the space in front of residents front doors clear and noise levels down
- there really is an extraordinary amount of noise / crowding, to the extend that i often need to ask punters to please clear my door when i want to get in
- whenever i go to other venues in e.g. in Soho or Covent Garden there are strict regulations in place to contain noise - with notices up to keep noise levels down after 11 pm or use plastic cups after certain hours when drinking outside and for customers to consider residents living above and in the vicinity of these venues
- somehow this courtesy does not apply to Exmouth Market
- it's not only the punters / customers, but also bar/ pub staff who linger on the street, long after their shifts who drink, talk loudly in groups, with seemingly, no consideration for residents - often until ± 1 am

2. The prevention of Crime & Disorder

- The noise level due to people consuming substantial amounts of alcohol and the disorder that come with it on the street, before and after closing of bars, pubs & restaurants is evident
- crime and disorder is goes hand in hand with excess use of alcohol - there are currently +4 establishments [bars /pubs] on the street where the main focus is on drinks - even if they serve minimal food

I'm no prude and enjoy a night out myself, but surely one can expect basic consideration if you're a resident ? Feel it's the responsibility of the owners / managers of these establishment to make an effort to maintain noise levels, and control their customers and consider the residents

Thank you

[REDACTED]

**Personal details**

First name:	[REDACTED]
Last name:	[REDACTED]
Home address:	[REDACTED]
In what capacity are you making this submission?:	Resident
Telephone number:	[REDACTED]
Email address:	[REDACTED]
Premises name:	Tabac Cafe
Full postal address of premises:	45 Exmouth Market, EC1R 4QL

**Licensing objectives**

Public nuisance:	<p>The street is already crowded in the evenings with vertical drinkers from the existing drinking places filling the road. 15 out of 60 shops in Exmouth Market (25%) already have alcohol licences and one more will only add to the excessive noise in the evenings; the roadway and the pavements impassable for residents at busy times; people not dispersing when the bars close; no crowd control at all by the various bars' staff. No defined spaces for any of the premises immediately adjacent to No. 45.</p>
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Crime and disorder:

Drunkenness; occasionally people using Northampton Row as a toilet; on a few hot nights recently, drunk 'diners' taking their clothes off in the street at 9:30 - 10 p.m.. The 'Cumulative Impact' policy was presumably intended to curb this – why is it no longer mentioned, or enforced?

Protection of children from harm:

Sometimes glass bottles left on the ground or on window ledges overnight / still there in the mornings, along with cigarette ends outside front doors to flats. Other mess left by departing drinkers – food waste and other.

Public safety:

Access for emergency vehicles and residents is already difficult at peak times. This application increases the critical mass of alcohol-fuelled behaviour that has taken over the street, since the end of lockdown. It is unnecessary to convert a barber shop into a bar.

### **Anonymous identity**

I wish my identity to be kept anonymous:



If you wish your name and address details to be withheld then please explain the reason::



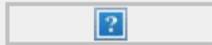
### **Supporting documents**

Business email recipients:

licensing@islington.gov.uk

By submitting this from I agree that this information shall be distributed as detailed in this form and supporting guidance notes on How to comment or complain about licensed premises:

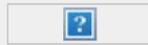
yes



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# TABAC Café

Hello Neighbour!

We wanted to send you a note and introduce ourselves and let you know about our new little cafe bar on Exmouth market (I promise not an advert!)

We've just moved in down at no.45 and we have some exciting plans to bring our passion for creating a relaxed friendly atmosphere to you.

It's been our dream to be a part of such a cool and interesting community and we hope to be open and welcome you in around autumn time, we hope everybody will be able to use our space to meet, work, grab a coffee, and relax with a glass of wine after work.

We also want to have an open platform if you have any feedback or concerns, is there something you want to see on the street we can provide, or avoid!

You'll start to see the changes happen and we can't wait to meet you! Come in and say hi.

Any questions at all, please give us a call on 07903646380 or 07463175389  
Or email us at [hello@tabacafe.co.uk](mailto:hello@tabacafe.co.uk)

Andy & Mei



**Conditions proposed by Islington's Noise Service - Agreed**

1. Alcohol shall not be sold after 23:00, Sundays to Thursdays and to 23:30 on Fridays and Saturdays.
2. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
3. Any music shall be restricted to ambient background levels of sound.
4. The delivery of licensable goods to the premises shall be restricted to the hours between 08:00 and 20:00 Monday-Saturday. No deliveries of licensable goods to the premises shall be made on a Sunday or Bank Holiday.
5. The collection of refuse shall be restricted to the hours between 08:00 and 21:00 Monday-Saturday. No waste collections shall be made on a Sunday or Bank Holiday.
6. The outside of the premises shall be regularly monitored to ensure that noise levels from patrons do not cause a nuisance to any nearby residents.
7. No amplification system or speakers will be used in the external areas of the premises.
8. Drinks shall not be taken outside in open containers for consumption apart from to customers seated in any authorised area for external tables and chairs.
9. The outside seating area shall be closed and cleared of customers by 22:00.
10. After 22:00, you must limit the number of smokers to 10 outside with no drinks taken outside with them. Outside furniture shall be disabled and taken out of use by 22:00 each night. Management shall monitor the outside area and control any noise caused by customers.
11. The licensee shall practice best endeavours to ensure that no internal combustion engine vehicles are used for deliveries from the premises.
12. 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.
13. The premises will operate a no idling policy.
14. 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.

15. Delivery of alcohol will be refused if the driver considers the person receiving the delivery to be under the influence of alcohol or drugs.
16. Details of customer orders shall be retained for a period of 6 months and will be made available on request to the police or an authorised council officer.
17. Drivers will abort delivery where it is believed that a sale is a 'street sale'.
18. No deliveries are to be made to an open space.
19. After 22:00, you must limit the number of smokers to 10 outside with no drinks taken outside with them. Outside furniture shall be disabled and taken out of use by 22:00 each night. Management shall monitor the outside area and control any noise caused by customers.
20. No amplification system or speakers will be used in the external areas of the premises.
21. There shall be no vertical drinking, alcohol shall only be supplied to customers who are seated"

### **Conditions proposed by the Metropolitan Police- Agreed**

22. 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.
23. 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
24. 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.
25. The premises will operate the 'Challenge 25' proof of age scheme.
- (a) All staff will be fully trained in its operation.
  - (b) Only suitable forms of photographic identification, such as passport or UK driving licence, or a holographically marked PASS scheme cards, will be accepted.
26. "Chelsea Hooks" or similar bag retention devices are to be provided on the underside of tables and counters where customers might reasonably be expected to otherwise place their bags on the floor.
27. 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.

28. The premises shall not be hired out to any third party.
29. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway. A maximum of 6 smokers shall be permitted to stand outside the frontage at any one time.
30. The premises to operate a zero tolerance policy to drugs.