

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

Report of: Director of Public Protection

Meeting of: Licensing Sub-Committee

Date: 03/11/2022

Ward(s): Holloway

Subject:

PREMISES LICENCE NEW APPLICATION

Re: Conservatory Archives, 3 Middleton Mews,
Islington, London, N7 9LT.

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 sale of alcohol, which may be consumed on and off the premises on Monday to Sunday from 12:00 – 19:00
- Recorded music on Monday to Sunday from 10:00 - 19:00
- Permit the Opening Hours on Monday to Sunday from 10:00 - 19:00

1.3. Relevant Representations:

Licensing Authority	No
Metropolitan Police	No

Noise	No
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 6
Other bodies	No:

2. Recommendations

- 2.1. To determine the application for a new premise licence under Section 17 of the Licensing Act 2003;
- 2.2. 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.
- 2.3. These premises are not located in a cumulative impact policy area.

3. Background

- 3.1. This is an application for a new licence Conservatory Archives. The application is subject to representation from 6 local residents.
- 3.2. In addition the application received representations from the Council Noise Team and the Police Licensing Team. These representations were withdrawn after the applicant agreed to proposed additional conditions.
- 3.3. The applicant has written a supporting letter to the residents this was forwarded with the formal notice of hearing and is attached as Appendix 3.

4. Implications

4.1. Financial Implications

- 4.1.1. The Head of Finance reports that the applicant has paid the application fee of £315:00. 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 been occupied by Garden Centre shop B1 Use called Conservatory Archives from August 2021 – January 2022. The application is also proposing Garden centre Café Use A3.
- 4.5.2. As such, the property had established B1 use for both the Vehicle Garage workshop / Garden Centre shop and the proposed Garden centre Cafe Use A3 now falls within Class E of the Use Classes Order 1987 (as amended).

4.5.3. There are no planning enforcement cases open in relation to the property. As such, there is no objection raised.

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: Letter to residents from the applicant

Appendix 4: suggested conditions and map of premises location.

Background papers:

- None.

Final report clearance:

Signed by: 

Service Director Public Protection and Regulatory Services

Date: 24/10/2022

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

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

System reference

Not Currently In Use

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

Your reference

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

Giacomo

* Family name

Plazzotta

* 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

09550697

Business name

Conservatory Archives Ltd

If your business is registered, use its registered name.

VAT number

GB

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

Legal status

Private Limited Company

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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

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PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Limited company

Address

Building number or name

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

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

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

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

The property is used as a garden centre. Within the premises we are opening an ancillary cafe to serve hot and cold beverages and simple food for customers and staff.
The property includes Middleton Mews and has private gated access from Middleton Grove. An emergency exit into Beacon Hill is also present.
The premises featured two courtyards, a main building and a small annexe building. The main building and first courtyard is

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where we display our plants. The second courtyard is used partly as parking space and bin store and partly to stock pallets of pottery products and potting soil. The small annexe building is being refurbished and will include an area for the retail of gardening tools and pottery and an area for the cafe. Within the cafe we are proposing to sell alcohol for retail (bottled wine and beer) and for consumption on the premises.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

We will be playing background music within the premises, indoors.

State any seasonal variations for playing recorded music

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

No seasonal variations

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

We don't plan on any non-standard timings for music at the moment.

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the 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.

No seasonal variations

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.

No non-standard timings.

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

Continued from previous page...

Name

First name

[Redacted]

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

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

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

No adult entertainment

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

We are currently closing at 17:00 but plan to extend to 19:00. No seasonal variations.

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.

No non-standard timings

Continued from previous page...

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

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

The premises is primarily used as a garden centre.

The proposed hours of sale of alcohol are 12:00-19:00. These not being in the evening or night comport an overall minor risk of crime and disorder, public safety and public nuisance. In addition, the licensable activities are ancillary to the business and occupy a minor area within the premises, thus facilitating supervision of the customers in order to promote the licensing objectives. Nonetheless, we take several measures to promote the licensing objectives as listed in the blocks below.

We are very much a community-oriented garden centre and we are in contact with the neighbours, some of whom have my personal mobile to contact at any time. This helps us to be more aware if any nuisance come from our premises, or if there is any disorder because it can be acted on immediately.

b) The prevention of crime and disorder

A C.C.T.V. system has been installed and is working. Recordings will be maintained for an appropriate period of time to be agreed (if requested) with the Police and the Licensing Authority. A notice will be displayed at the entrance to the premises advising that C.C.T.V. is in operation. At least one C.C.T.V. camera will be in operation at the front of the premises at all times. A secure area for customer's personal belongings is available.

Customers will not be permitted to take open containers of alcohol from the premises. All bottles and glasses are to be removed from public areas as soon as the contents have been drunk or are empty. Bottle bins for collection or empty bottles will not be accessible to members of the public.

We have the intention for the cafe to be part of the garden centre's customer experience and not a destination for drinking in itself. For this reason we will enforce a capacity of 20 cafe customers which will prevent overcrowding which could lead to crime and disorder. Drinks promotions of any kind will not be permitted.

c) Public safety

We have conducted a suitable Fire Risk Assessment at the premises and implemented the necessary control measures. Exit doors are regularly checked to ensure they function satisfactorily.

The premises are all on ground floor with a courtyard and are step-free.

Adequate and appropriate First Aid equipment and materials are available on the premises.

As operation will end at 7pm, daylight will be present during opening hours throughout most of the year. In the absence of adequate daylight suitable and sufficient artificial lighting is provided and maintained in any area accessible to the public.

Emergency lighting is installed and regularly maintained.

Free drinking water will be available at all times when the premises is open to the public and taps are labelled as such.

We operate a complete no smoking policy indoors.

Seats are available to accommodate 100% of the maximum capacity of the premises.

d) The prevention of public nuisance

No loud music will be played, only background music indoors. No music will be played outdoors. No sporting events are played.

The premises close at 19:00 and the premises are not open to the public after 19:00.

The premises has a waste collection contract with Business Waste Ltd who remove waste on Wednesday and Friday morning.

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e) The protection of children from harm

The premises operates a proof of age policy when selling alcohol.

The premises is primarily a garden centre and no adult entertainment of any kind is allowed in the premises.

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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.

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- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

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In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

Continued from previous page...

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

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

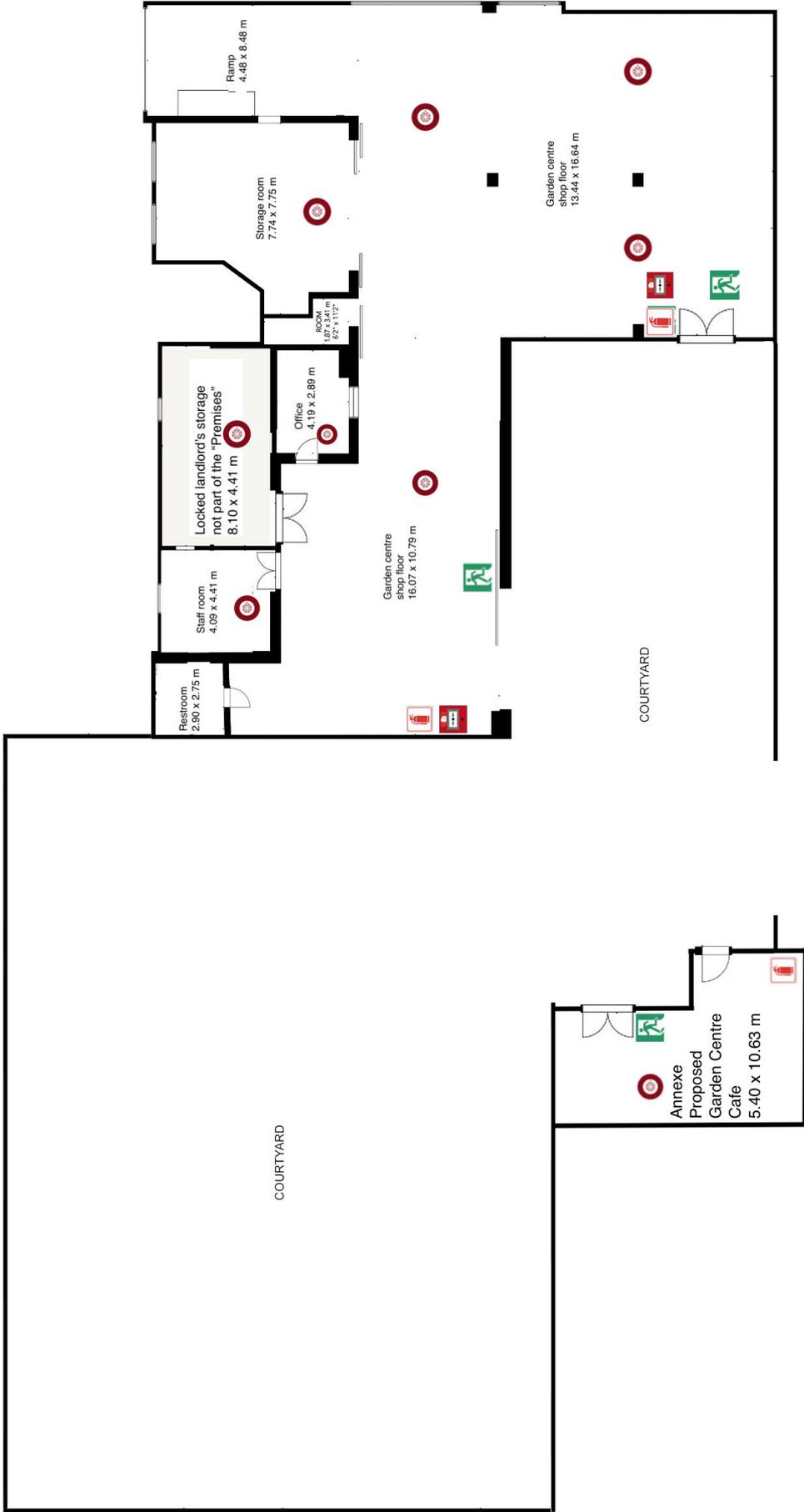
Don't forget to make sure you have all your supporting documentation to hand.

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

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



GROSS INTERNAL AREA
TOTAL: 5,768 sq ft/ 536 m²
SIZE AND DIMENSIONS ARE APPROXIMATE, ACTUAL MAY VARY.

Rep 1

Dear Sir/Madam,

Your Ref: WK/220030150

Re: CONSERVATORY ARCHIVES, 3 MIDDLETON MEWS, ISLINGTON, LONDON N7 9LT

PUBLIC NUISANCE: I am particularly opposed to the licensing of music at the premises. It is in a very residential area where residents' gardens and households will be disturbed by the noise.

I am also opposed to the licensing of alcohol. I do not want this residential area to become a destination for drinking alcohol in public. This has implications for crime, disorder, public nuisance and public safety. There are plenty of other areas within easy walking distance that are already available for alcohol consumption.

I am very worried that the venue will be hired out for parties, which will result in the noise and disturbance of dozens of people drinking with music.

Rep 2

I understand that the above garden centre has applied for a music and alcohol licence. This is a quiet residential street and would cause a disturbance to the people who live in Middleton Grove. I object to this proposed licence and so do my neighbours.



Rep 3

Dear Sir/Madam,

Your Ref: WK/220030150

Re: CONSERVATORY ARCHIVES, 3 MIDDLETON MEWS, ISLINGTON, LONDON N7 9LT

PUBLIC NUISANCE:

I am particularly opposed to the licensing of music at the premises. It is in a very residential area where residents' gardens and households will be disturbed by the noise. We are already fully aware of the impact of recorded music in our residence whenever a household has a party in their garden. It's unpleasant. We would not like to have this on a daily basis.

I am also opposed to the licensing of alcohol. I do not want this residential area to become a destination for drinking alcohol in public. This has implications for crime, disorder, public nuisance and public safety. I have a 5 year old at home and I would like to see people drinking alcohol outside our flat. There are plenty of other areas within easy walking distance that are already available for alcohol consumption.

Rep 4

I would like to OBJECT to the above.. [REDACTED] remain living in Mid Grove because it is normally Quiet

Thanks

Rep 5

Premises: CONSERVATORY ARCHIVES, 3 MIDDLETON MEWS, ISLINGTON, LONDON N7 9LT

Interest: Resident

Public nuisance: the critical point is that this is a residential area only, there are no cafes or restaurants or shops in the immediate vicinity, it's not a high street, so the impact would be extremely noticeable. While a garden centre which doesn't stay open too late is a quiet business, extending the licence of the cafe would have a completely different and negative impact.

I am opposed to the licensing of music at the premises. In this very residential area, residents' gardens and households will be disturbed by the noise, particularly when it is warm and the doors are open and/or there is seating outside. We have already had issues when music is played in neighbouring gardens. This is even more of a problem now since many of us work from home; I have been disturbed by neighbours' music while trying to work indoors, let alone when sitting in my garden. Non-stop music all day every day would be a massive disturbance. And I don't know how we'd be able to ensure the volume doesn't get too loud; however, even a low volume, particularly if their doors are open, would be an issue.

I am also opposed to the licensing of alcohol. I do not want this residential area to become a destination for drinking alcohol in public. This has implications for crime, disorder, public nuisance and public safety. There are plenty of other areas within easy walking distance that are already available for alcohol consumption.

Also, a garden centre cafe does not need to sell alcohol or play music to be successful and attract customers.

Crime and disorder: As mentioned above, I am opposed to the licensing of alcohol. I do not want this residential area to become a destination for drinking alcohol in public or within this residential area. This has implications for crime, disorder, public nuisance and public safety. Customers will walk out of the garden centre onto my street, and I won't feel as safe knowing that some of them will have been drinking.

Protection of children from harm: As mentioned above, I am opposed to the licensing of alcohol. I do not want this residential area to become a destination for drinking alcohol in public or within this residential area. This has implications for crime, disorder, public nuisance and public safety.

Customers will walk out of the garden centre onto my street and I wouldn't want children to be near premises which might mean that some of these customers might be drunk.

Public safety: As mentioned above, I am opposed to the licensing of alcohol. I do not want this residential area to become a destination for drinking alcohol in public or within this residential area. This has implications for crime, disorder, public nuisance and public safety. Customers will walk out of the garden centre onto my street, and I won't feel as safe knowing that some of them will have been drinking.

Rep 6

Dear Licensing Team

I am the owner and resident in Middleton Grove, [REDACTED] I understand that an application for a music and alcohol licence has been made by Conservatory Archives, in Middleton Mews, N7 9LT.

I would like to register my opposition to this licence being granted.

Grounds for the objection are:

1. Noise and nuisance in a quiet residential street; the street houses many families with young children who need to enjoy quiet uninterrupted sleep and daytime quiet.
2. There are many older people living in the street and they will be disturbed by noise and nuisance.
3. Nuisance of litter - if this licence is granted there will be a considerable increase in street littering, much of it of dangerous material such as beer cans, glass bottles, and drug paraphernalia.
4. As a purely residential street, Middleton Grove is entirely unsuitable for a licensed premises and therefore I wish to strongly object to this application.

Yours faithfully

Dear Neighbours,

I am writing on behalf of Conservatory Archives (CA) in relation to the premises and premises licence application which you have commented on.

Firstly, we would like to thank you for taking the time to point out your concerns as this helps in a number of ways, such as establishing relationships, reaching out to explain the processes and the business in a more personable manner than the application permits.

The premises has been completely remodelled to become a garden centre with a cafe offering. The cafe offering with the proposed sale of alcohol will complement the garden centre customer experience. CA wishes to settle into the neighbourhood harmoniously, be of benefit to the residents and new customers and have no wish to cause any issue or concerns. If there are points here that you wish to clarify, please do not hesitate to contact me on the email below.

In applying for recorded music, it was not our intention to create a loud or disturbing atmosphere within the local neighbourhood. We understand and appreciate your apprehension due to the residential nature of the surrounding area. Any music would have been kept at a low level as background noise (such as what you would find in our stores) rather than that of a bar or public house.

In addition as part of the application we consulted with the Police licensing team and the Council noise team. As part of this we have agreed the following additional conditions to be placed on the licence if granted. This would be legally enforceable by the local authority.

1. Withdraw the application for the licensing of recorded music.
2. In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:

- 2.1. The police and, where appropriate, the London Ambulance Service, are called immediately;
- 2.2. As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
- 2.3. 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;
- 2.4. 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.
3. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record:
 - 3.1. Any and all allegations of crime or disorder reported at the venue
 - 3.2. Any and all complaints received by any party
 - 3.3. Any faults in the CCTV system
 - 3.4. Any visit by a relevant authority or emergency service
 - 3.5. Any and all ejections of patrons
 - 3.6. Any and all seizures of drugs or offensive weapons
 - 3.7. Any refusal of the sale of alcohol
4. 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:
 - 4.1. 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.
 - 4.2. 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;
 - 4.3. The Police will be informed if the system will not be operating for longer than one day of business for any reason;
 - 4.4. One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
 - 4.5. The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
 - 4.6. The system will record in real time and recordings will be date and time stamped;
 - 4.7. 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.

- 4.8. 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 .
- 4.9. Signage stating that CCTV is in operation will be clearly and prominently displayed at the premises.
5. The premises will operate the 'Challenge 25' proof of age scheme.
- 5.1. All staff will be fully trained in its operation.
- 5.2. Only physical production of suitable forms of photographic identification, such as passport or UK driving licence, or a holographically marked PASS scheme cards, will be accepted. A screenshot or digital document copy will not be sufficient.
6. All 'off sales' or alcohol will be unopened, sealed bottle which are bagged or wrapped to take away.
7. The premises licence holder shall endeavour to eliminate or minimise any nuisance arising out of its licensable activities. In doing so the premises licence holder will work with enforcement authorities where any issues are identified. A complaints procedure will be maintained in order that local residents have a means of contact if necessary. A direct telephone number for the manager at the premises shall be publically available at the times the premises is open. The telephone number is to be made available to residents and businesses in the vicinity.
8. The premises shall only operate as a garden centre with café facilities for licensable activities.
9. There shall be no delivery service from the premises for food or alcohol.

Having gone through your representation I would like to answer each of the points you have raised in turn.

Representations opposed to the licensing of music at the premises on the basis of the potential of noise disturbance to the nearby households.

Please refer to points 1 and 7 above. Following the nuisance concerns, CA is withdrawing the application for licensing of recorded music in hope this finds all parties agreeable. The application also includes a maximum capacity of 30x cafe customer which prevents overcrowding.

Representations opposed to the licensing of alcohol inasmuch it has implications for crime, disorder, public nuisance and public safety and because there are venues offering alcohol in the vicinity.

Please refer to points 2, 3, 4, 8 and 9 above. In particular points 2 and 3 guarantee good communication with the Police, while 4 is a deterrent for any sorts of criminal activity. In addition, the proposed sale of alcohol is limited to opening hours between 12noon and 7pm. These opening hours constitute a very low risk for crime, disorder and public safety while providing a great addition to the garden centre's business and customer experience. The precautions that CA is taking as part of this license will in fact improve the monitoring of a large area in the middle of a residential houses that would otherwise be more at risk of trespassing which has been common in the past.

The existence of other premises offering alcohol in the vicinity does not constitute a reason to deny a premises license. In fact it could support it if the other premises conduct business in good order.

Representations on the basis of the potential of the venue being hired out for parties.

This application only deals with the sale of alcohol under the Licensing Act 2003 as the application for licensing of music is being revoked. Private parties would require a Temporary Event Notice (TEN) if the parties involve licensable activities. A TEN can be obtained on a premises independently on whether the premises holds an alcohol license or not.

Representations on the basis that children living nearby could see people drinking.

There is no necessity to keep alcohol out of the sight of children. Along with any other supermarket or outlet selling alcohol, the strength is with Challenge 25 which the company comply with as a matter of course.

For further discussions on the matter CA would like to invite all neighbours to meet at the premises **on Monday 31 November at 06:30pm.**

Kind Regards

Dr Giacomo Plazzotta

Conservatory Archives

plazzo@conservatoryarchives.co.uk

Suggested conditions of approval consistent with the operating schedule

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
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 - (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
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 .

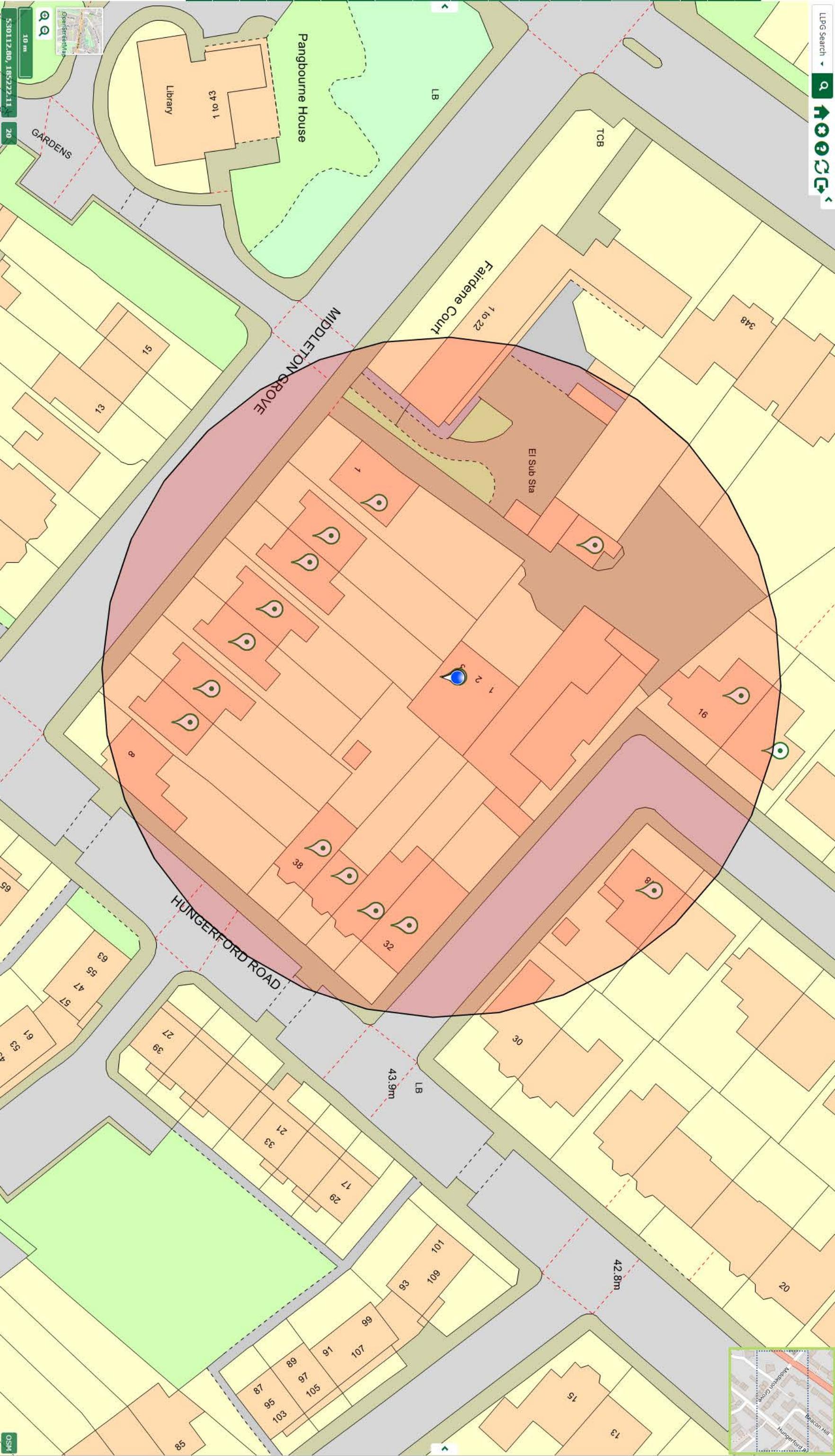
(i) Signage stating that CCTV is in operation will be clearly and prominently displayed at the premises.

4. The premises will operate the 'Challenge 25' proof of age scheme.
 - (a) All staff will be fully trained in its operation.
 - (b) Only physical production of suitable forms of photographic identification, such as passport or UK driving licence, or a holographically marked PASS scheme cards, will be accepted. A screenshot or digital document copy will not be sufficient.
5. All 'off sales' or alcohol will be unopened, sealed bottle which are bagged or wrapped to take away.
6. The premises licence holder shall endeavour to eliminate or minimise any nuisance arising out of its licensable activities. In doing so the premises licence holder will work with enforcement authorities where any issues are identified. A complaints procedure will be maintained in order that local residents have a means of contact if necessary. A direct telephone number for the manager at the premises shall be publically available at the times the premises is open. The telephone number is to be made available to residents and businesses in the vicinity.
7. The premises shall only operate as a garden centre with café facilities for licensable activities.
8. There shall be no delivery service from the premises for food or alcohol.
9. The premises will have an indoor capacity of 20 cafe customers only.
10. Drinks promotions of any kind will not be permitted.
11. Adequate and appropriate First Aid equipment and materials are available on the premises.
12. Emergency lighting shall be installed and regularly maintained.
13. Free drinking water shall be available at all times when the premises is open to the public.
14. Only background music will played inside the café.
15. No music will be played outdoors.
16. The premises has a waste collection contract who only remove waste on Wednesday and Friday mornings only.



- SHOW LAYERS
- COVID-19 +
- Base Mapping -
- MASTERMAP +
- Islington and surrounding Borough Boundaries
- Islington Borough Boundary
- LLPG Points (Postal)
- LLPG Search
- LLPG Simple Search
- LLPG Points 100m Buffer to Islington (Postal)
- LLPG Points (Non-postal and Postal)
- Colourised Infrared Aerial Photography
- Borough Wide
- Parking
- Housing
- LBI Organisations
- Planning - Policies Map
- Planning - Other Constraints
- Historical Maps

LLPG search



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OSM

