

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

Report of: Director of Public Protection

Meeting of: Licensing Sub-Committee

Date: 19/01/2023

Ward: Highbury

Subject:

PREMISES LICENCE NEW APPLICATION

Re: LA FROMAGERIE LTD, UNIT 8,
FROGMORE INDUSTRIAL ESTATE, 99
KELVIN ROAD, ISLINGTON, LONDON, N5
2PL

1. Synopsis

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

1.2. The new application is to allow:

- **The off sale of alcohol only from 08:00 to 23:00 on Monday to Sunday.**

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: Two local residents
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 not located in the any of the Council's Cumulative Impact Policy Areas
- 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. This is an application for a premises licence for La Fromagerie Ltd, Unit 8, Frogmore Industrial Estate, 99 Kelvin Road, Islington, London, N5 2PL.
- 3.2. The application is to permit the sale of alcohol as mail order deliveries only and no public will be permitted on to the premises if this licence was granted.
- 3.3. The application is subject to two representations from local residents.
- 3.4. The application also received comments from the Council's Noise and Trading Standards Teams during the consultation period and the applicant has agreed to amend the operating schedule to include additional conditions as part of these discussions. These conditions are found in Appendix 4.

- 3.5. The applicant has drafted a brief response to the representation received, these were sent to the local residents as part of the notification of hearing process.
- 3.6. The applicant does hold a premises licence in Islington on Highbury New Park for a specialist Fromagerie and delicatessen for which there are no licensing issues.

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 industrial Estate has a planning use B8 class which relates to a business use associated with storage and distribution

4.5.2. No relevant planning history relating to the Unit 8 - Please note: two other units in the estate have restrictive hours conditions (units 4&5 8 am – 18.00) and (units 9&10 07.30-18.00)

4.5.3. There are no outstanding planning enforcement investigations in relation to Unit 8, but I do have cases on units 4, 5 9,10 hours of use. So the planning department has raised no representation to this application.

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 to representations

Appendix 4: suggested conditions and map of premises location.

Background papers:

- None.

Final report clearance:

Signed by: 

Besserat Atsebaha

Service Director Public Protection and Regulatory Services

Date: 09/01/23

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

La Fromagerie Wholesale

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

Joe

* Family name

Abbott

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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.

Is your business registered outside the UK?

Yes No

Business name

La Fromagerie

If your business is registered, use its registered name.

VAT number

GB 795934465

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.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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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...

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](#)

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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.

Wholesale Warehouse, providing off supply of alcohol. Alcohol will be stored in the warehouse and distributed via courier to customers purchasing Food and alcohol online. Alcohol will not be consumed on the premises.

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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

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

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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

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.

N/A

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

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

N/A

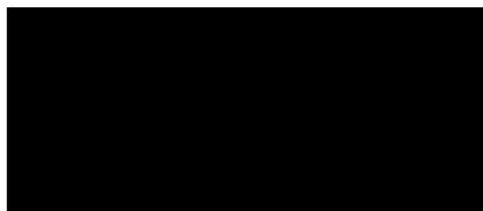
State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth

	<input type="text"/>
	<input type="text"/>
	<input type="text"/>

dd mm 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"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text" value="Westminster Council"/>

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.

N/A

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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.

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.

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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)

Continued from previous page...

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

Alcohol will not be consumed on the premises.
It will only be sold and distributed to persons 18years or over.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

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

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

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

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

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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.

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

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

DECLARATION

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

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

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

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

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

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

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

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

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

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

LA FROMAGERIE LTD - APPENDIX A006 FLOOR PLAN

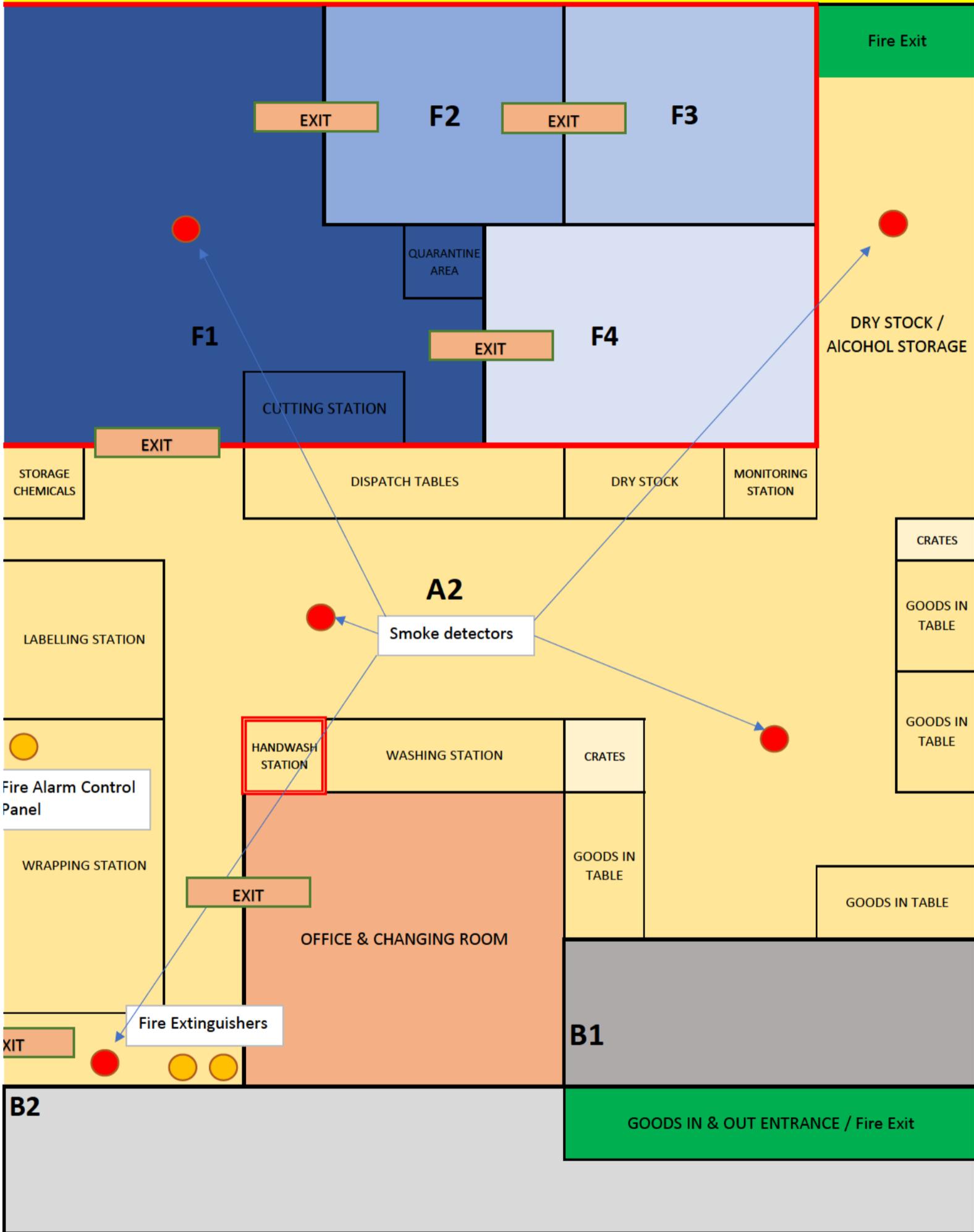
Date: Nov 22

Issued by Joe Abbott

Version 3

Authorised by J. Abbott

PRODUCTION AREA



A1 4 TEMPERATURE CONTROLLED ROOMS

31ft

Forde, Niall

From: [REDACTED]
Sent: 19 December 2022 22:38
To: Licensing
Subject: LA FROMAGERIE LTD, UNIT 8, FROGMORE INDUSTRIAL ESTATE, 99 KELVIN ROAD, ISLINGTON, LONDON, N5 2PL

[External]

Dear Licensing Service Islington,

Premises Name and address: LA FROMAGERIE LTD, UNIT 8, FROGMORE INDUSTRIAL ESTATE, 99 KELVIN ROAD, ISLINGTON, LONDON, N5 2PL

I received your letter; dated 28 November 2022, regarding the premises licence application on the 19 December 2022. I would like to provide an interim response and suggest a deadline extension so as all residents have appropriate time to respond greater than three days.

[REDACTED]

The proposed days (Monday to Sunday) and hours of operation (08:00-23:00) exceed the appropriate trading hours for its residential location that exits onto a residential street. In many cases it would be a breach of privacy and safety as bedrooms immediately adjoin the estate. The proximity to a secondary school, playground and nursery make such a licence inappropriate and provide unwarranted risks to children. The late hours of operation pose higher risk of consumption in proximity to the outlet and poses a safety risk in the form of anti-social behaviour. The site has insufficient parking allocations and will create a nuisance to residents. In my opinion, this application is invalid on all four objectives of the Licensing Act 2003.

Kind regards,

[REDACTED]

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: La Fromagerie Ltd, Unit 8, Frogmore Industrial Estate, 99 Kelvin Road, Islington, London, N5 2PL

Your Name: _____

Interest: _____

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

Your Address: _____

Email: _____

Telephone: _____

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

Already the Unit operates regularly at unsociable hours, often commencing noisy operations at 5am. This must be against the planning conditions of this Industrial Estate
Selling alcohol 7 days a week from 8am - 11pm will make this nuisance worse and attract activity to an area that is normally quiet after 6pm

Crime and Disorder

A licence in an Industrial Estate will add to crime and disorder by attracting evening activity to a quiet residential area.
There are already 2 off licences nearby which are part of the shopping street, this location is hidden within the Estate and will attract unsociable behaviour.

Protection of Children from Harm

N/A

Public Safety

Introducing evening activity with alcohol will increase crime and disorder and therefore public safety.

A licence would also surely involve a 'change of use' as well from warehouse/office (B2/B8) to a commercial sales/shop use.

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:

[Faint handwritten text, mostly illegible]

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

Signature:  Date: 16/12/22

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

Response to representation.

The proposed days (Monday to Sunday) and hours of operation (08:00-23:00) exceed the appropriate trading hours for its residential location that exits onto a residential street. In many cases it would be a breach of privacy and safety as bedrooms immediately adjoin the estate.

The site operates Monday to Friday between the hours of 08.00-17:00. There will be no change to our current operating hours and volumes. Although we have applied for extended times within the licence this was to give us flexibility in the future during busy periods. We would be happy to amend the restrictive hours on the licence application to 08:00-18:00 Mon-Sat in line with the other units on the estate.

The proximity to a secondary school, playground and nursery make such a licence inappropriate and provide unwarranted risks to children.

As this is an off license to allow home delivery of alcohol via mail order to our online customers, this poses no risk to the surrounding community.

The late hours of operation pose higher risk of consumption in proximity to the outlet and poses a safety risk in the form of anti-social behaviour.

As this is an off license to allow home delivery of alcohol via mail order to our online customers, this poses no risk to the surrounding community. No Alcohol will be consumed on or near the site as a result of this licence.

The site has insufficient parking allocations and will create a nuisance to residents. In my opinion, this application is invalid on all four objectives of the Licensing Act 2003.

The site has dedicated parking to allow for deliveries and collections. There will be no change in volumes to our current operation.

We would also like to make it clear that the bulk of the operation is currently all related to the wholesale of cheese and that the timings are essential for us to maintain our service.

Joe Abbott
Group Technical Manager
La Fromagerie

Representation 2:



Already the unit operates regularly at unsociable hours, often commencing noisy operations at 5am. This must be against the planning conditions of this industrial estate selling alcohol 7 days a week from 8am-11pm will make this nuisance work and attract activity to an area that is normally quiet after 6pm.

The site operates Monday to Friday between the hours of 08.00-17:00. A staff member arrives on pedal bike at 5:00 in relation to our wholesale cheese operation, supplying restaurants. To ensure deliveries are made prior to their service hours. The shutter to the warehouse is not opened. He attends to office work to prepare for the team arriving at 8am.

Operations such as deliveries and collections do not commence until 08:00.

There will be no change to our current operating hours and volumes. Although we have applied for extended times within the licence this was to give us flexibility in the future during busy periods. We would be happy to amend the restrictive hours on the licence application to 08:00-18:00 Mon-Sat in line with the other units on the estate.

A licence in an industrial estate will add to crime and disorder by attracting evening activity to a quiet residential area. There are already 2 off-licences nearby which are part of the the shipping street, this location is hidden within the estate and will attract unsociable behaviour.

As this is an off license to allow home delivery of alcohol via mail order to our online customers, this poses no risk to the surrounding community. No Alcohol will be consumed on or near the site as a result of this licence. There will be no additional activity or unsociable behaviour in the area as a result.

Introducing evening activity with alcohol will increase crime and disorder and therefore public safety. A licence would also surely involve a change of use as well from warehouse / office (B2/B8) to a commercial sales / shop use.

As this is an off license to allow home delivery of alcohol via mail order to our online customers, this poses no risk to the surrounding community. No Alcohol will be consumed on or near the site as a result of this licence. There will be no additional activity or unsociable behaviour in the area as a result. The industrial Estate has a planning use B8 class which relates to a business use associated with storage and distribution. There will be no change to this operation. Our Sales are made online. We would be happy to amend the restrictive hours on the licence application to 08:00-18:00 Mon-Sat in line with the other units on the estate.

We would also like to make it clear that the bulk of the operation is currently all related to the wholesale of cheese and that the timings are essential for us to maintain our service.

Joe Abbott
Group Technical Manager
La Fromagerie

Suggested conditions of approval consistent with the operating schedule

1. None suggested.

Conditions proposed by the Council's Noise Service

2. No members of the public shall be allowed to enter the premises and order or collect ordered licensable goods.
3. There shall be no online home deliveries of licensable goods from the site on Sundays other than between the hours of 10:00 and 18:00 hrs.
4. Deliveries of licensable goods to the site shall only occur between 10:00 hrs and 18:00 hrs, Mondays to Saturdays; there shall be no deliveries to the site of licensable goods on Sundays and Bank Holidays.
5. The licensee shall practice best endeavours to ensure that no internal combustion engine vehicles are used for deliveries from the premises.
6. 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.
7. The premises will operate a no idling policy.
8. Where there are shutters to the front of the premises, these shall be maintained so as not to cause a noise nuisance when in operation to residential properties in close vicinity.
9. The collection of refuse or recycling materials from the premises shall be restricted to the hours between 08:00 and 18:00 Monday-Saturday, no waste collections shall be made on Sundays or Bank Holidays.
10. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
11. Any audible safety reversing vehicle device, used by any vehicles connected to the deliveries to or from the premises should be of a 'white noise' type and not at a sound level likely to cause a disturbance to nearby residents.

Conditions proposed by the Council's Trading Standards Service

12. Customers will be asked to sign a declaration that they are 18 years or over when purchasing alcohol on our website.
13. Customers will be asked to confirm their date of birth when purchasing alcohol on our website. Any persons under the age of 18 will not be able to proceed to payment. A statement will be included informing customers that ID verification may be required upon delivery in line with the challenge 25 policy. This is in line with the rest of the online retail market and our competitors.
14. All of our deliveries are made by a third party courier (DPD). We will request that DPD employ a challenge 25 policy upon delivery, and instruct them to record and inform La Fromagerie of any delivery refusals.

