

Regulatory Services/Licensing  
222 Upper Street, London  
N1 1XR

Report of: Director Community Safety, Resilience and Security

Meeting of: Licensing Sub-Committee

Date: 08/06/2023

Ward(s): Holloway

## Subject:

# PREMISES LICENCE NEW APPLICATION

## Re: D&D RESTAURANT AND LOUNGE, 347 HOLLOWAY ROAD, ISLINGTON, LONDON, N7 0RN

### 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 sale of alcohol, which may be consumed on the premises, on Monday to Saturday from 12:00 – 22:30, and on Sunday from 12:00 – 22:00.
- The opening hours are Monday to Sunday from 09:00 to 23:00

1.3. Relevant Representations:

Licensing Authority	No
Metropolitan Police	No Conditions agreed

Noise	No Conditions agreed
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: Five
Other bodies	Yes: Planning

## 2. Recommendations

- 2.1. To determine the application for a new premises licence under Section 17 of the Licensing Act 2003;
- 2.2. These premises are located in the Holloway Road and Finsbury Park Cumulative Impact Area therefore the Licensing Sub-Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Sub-Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.
- 2.3. If the Licensing Sub-Committee grants the application it should be subject to:
  - i. Conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 4); and
  - ii. Any conditions deemed appropriate by the Licensing Sub-Committee to promote the four licensing objectives.

## 3. Background

- 3.1. This is an application a new premises Licence D&D Restaurant And Lounge, 347 Holloway Road, Islington, London, N7 0RN.
- 3.2. There have been two previous application's for a premises licence at this location which were both refused. The previous application received objections from both the Licensing Authority and the Police Licensing Teams who have no made representations to this application.

- 3.3. This application has received representations from five local residents and one from the Council Planning department.
- 3.4. On receipt of the representations from planning team and residents, the applicant has agreed to reduce the hours of the application in line with planning hours and has written to the residents. This letter is attached as Appendix 3.
- 3.5. This will also mean they have removed the application for late night refreshment from the licence application.
- 3.6. The application was listed for a hearing on 20 April 2023. The Committee adjourned the item for clarification on the premises acoustic report and also in respect of outstanding crime report.
- 3.7. On 27 April the Council's Pollution Council and the Licensing Officer visited the premises to check noise insulation works. The officers also visited the residential property making representation and found that music from the venue was inaudible inside the residential property.
- 3.8. Furthermore, the premises applied for a temporary event notice on the 19<sup>th</sup>, 20<sup>th</sup> 21<sup>st</sup> May to provide alcohol during the application hours. We have checked our records and no complaints were received about these temporary event notices.
- 3.9. In addition the Police Team have confirmed that they have no direct evidence linking the crime report in October 2022 to the venue. So have confirmed their representation is still withdrawn based on the agreed conditions being placed on the licence.

## 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 planning department have submitted a representation. They state that although, the property has established use as a restaurant and Barbershop use now within Class E of the Use Classes Order 1987 (as amended), the proposed timings for the licensable activities (Alcohol on the premises and Late Night refreshments are not compatible, additionally there is an open enforcement case ( where the current S73 application remains invalid), and conclusively, conditions 5 and 8 of P2021/1252/FUL have not been complied with.

4.5.2. Please see attached representation for a more detailed response.

## 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

Appendix 4: suggested conditions and map of premises location.

**Background papers:**

- None.

**Final report clearance:**

Authorised by:



Licensing Manager

Date:

31/05/2023

Report author: Licensing Service

Tel: 020 75027 3031

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



\* required information

**Section 1 of 21**

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

System reference

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

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Address**

\* Building number or name

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Your Address**

Address official correspondence should be sent to.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Continued from previous page...**

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	<input type="text" value="347"/>
Street	<input type="text" value="Holloway Road"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="N7 0RN"/>
Country	<input type="text" value="United Kingdom"/>

**Further Details**

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="21,500"/>



## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

### Confirm The Following

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

## Section 4 of 21

### INDIVIDUAL APPLICANT DETAILS

#### Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

Building number or name	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="dd"/> <input type="text" value="mm"/> <input type="text" value="yyyy"/>
* Nationality	<input type="text" value="Eritean"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK  
Right to work share code if not submitting scanned documents

## Section 5 of 21

### OPERATING SCHEDULE

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

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

Provide a general description of the premises

*Continued from previous page...*

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.

Ground Floor use premises with Restaurant. ( please see attached premises Plan )

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

#### Section 6 of 21

##### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

Yes  No

#### Section 7 of 21

##### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

Yes  No

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

Yes  No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

Yes  No

#### Section 10 of 21

##### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Yes  No

#### Section 11 of 21

##### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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...*

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

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

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

- Indoors       Outdoors       Both

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

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

State any seasonal variations

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

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

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

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes       No

**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 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.

None

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

Continued from previous page...

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

None

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

**Name**

First name

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'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

**Continued from previous page...**

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

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

N/A

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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



*Continued from previous page...*

N/a

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

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

## Section 18 of 21

### LICENSING OBJECTIVES

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

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

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

All four licensing objectives to be in place and to be implemented to protect public nuisance and children away from harm.

b) The prevention of crime and disorder

Alcohol will only be served to customers in the lounge area as indicated on the floor plan. Alcohol cannot be consumed in the Hairdresser area of the premises.

- To liaise with the local police
- To install CCTV system which will operate and record video images at all times that the premises are open to the public. All entry and exit points will be covered enabling frontal identification of every person entering the premises in any light condition.
- All CCTV recordings made shall be retained for not less than 31 days with time and date stamping and be made available to a police officer or an authorised officer of any responsible authority upon request. Images shall be provided free of charge as soon as reasonably practicable, but not more than 24 hours after the request (subject to the Data Protection Act 1998).
- 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.
- The Police will be informed if the system will not be operating for longer than one day of business for any reason;
- During opening hours, at least 1 member of staff on duty will be able to operate the system sufficiently to allow Police or authorised Council officers to view footage on request;
- Display clear signs at the premises stating `CCTV in Operation`
- Display clear signs stating that anti-social behaviour will not be tolerated
- Do not sell alcohol to drunk person
- A refusal book recording all refused sales of alcohol shall be kept at the premises and maintained at all times, which shall be made available to a police officer or an authorised officer of any responsible authority upon request. The register will contain:
  - a) details of the time and date the refusal was made
  - b) the reason for the refusal (including underage and attempted purchase by a person who is drunk)
  - c) the identity of the staff member refusing the sale
  - d) details of the alcohol the person attempted to purchase

**Continued from previous page...**

**e) brief description of the customer concerned**

- An incident book shall be kept and maintained at the premises at all times, which shall be made available to a police officer or an authorised officer of any responsible authority upon request.
- The incident book shall be used to record the date and time of any incident, the name of the staff member and a brief description of the customer concerned.
- All incidences of the following shall be recorded in the incident book within 24 hours and retained for a minimum of 12 months.
  - a) theft or attempted theft of alcoholic drinks;
  - b) any criminal incident;
  - c) any incidents of disorder;
  - d) all ejections of patrons;
  - e) any visit by a relevant authority or the emergency services;
  - f) any complaints received;
  - g) any faults in the CCTV system;
  - h) any and all seizures of drugs or offensive weapons;
- The licence holder shall ensure that staff are trained to use and maintain the refusal book and the incident book.
- 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.
- The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor;
- There shall be no vertical drinking permitted anywhere on the premises at any time.

**c) Public safety**

- To meet all health and safety objectives
- Liaise with the local police
- Training of staff on a regular basis to ensure public safety
- The premises licence holder shall ensure that all sales staff receive appropriate training in relation to managing conflict and health and safety of the public and staff. Training documents shall be signed and dated and will be held in a suitable hard-copy log, to be made available to a Police Officer or Council Officer upon request. Said records shall be retained for at least 12 months.
- Do not sell alcohol to underage persons, always check ID's if in doubt about person's age.

**d) The prevention of public nuisance**

- Customers requested to leave the premises in a quiet and orderly manners. A suitably worded sign, of a size A4 or larger, shall be displayed at each exit point from the premises. The sign shall remind customers to respect the neighbours, leave the area quietly and request that they do not congregate outside the premises.
- The licensee shall ensure that the management and staff prevent the admission of, and ensure the prompt departure from the premises of, any and all drunk and or disorderly people or other people displaying signs of other substance use, without causing any disorder;
- To keep deliveries of goods at afternoon times (Delivery times not to be very early or late)
- Keeping noise to a minimum at all times.

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

- Clear signs displayed to warn families to keep children with them at all times
- To keep sharp and flammable objects from children
- Do not sell alcohol to underage persons. A `Challenge 25` scheme that ensures any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age shall be implemented at the premises. Proof of age shall only comprise a passport, a photo card driving licence, or Proof of Age Standards Scheme (PASS) approved proof of age identity card.
- A prominent notice, of a size A4 or larger, shall be displayed at the point of entry to the premises and at the serving area

***Continued from previous page...***

advising customers that the premises operates the `Challenge 25` proof of age scheme.

- All staff whose responsibilities include the retail sale of alcohol shall receive training prior to them being permitted to sell alcohol and refreshed not more than every six months thereafter. the training shall include, but is not restricted to:

a) the prevention of underage sales of alcohol which shall include:

i. operation of the `Challenge 25` scheme;

ii. types of acceptable ID;

iii. method of recording challenges;

iv. potential consequences of making an underage sale.

b) refusing sales of alcohol to persons who appear to be drunk;

c) identifying and preventing proxy sales;

d) the operation of the CCTV equipment.

Such training shall be recorded, a version of which must be kept in English and these records shall, on request, be made available to any police officer or authorised person upon demand;

- No one under the age of 18 years will be allowed into the smoking area of the premises.

**Section 19 of 21**

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

*Continued from previous page...*

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

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

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

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

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

**Documents which demonstrate entitlement to work in the UK**

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

**Continued from previous page...**

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

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

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

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

***Continued from previous page...***

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

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

**Home Office online right to work checking service**

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

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

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

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

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

**Continued from previous page...**

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

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

**Continued from previous page...**

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

**Section 21 of 21**

**PAYMENT DETAILS**

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

Premises Licence Fees are determined by the non-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](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.

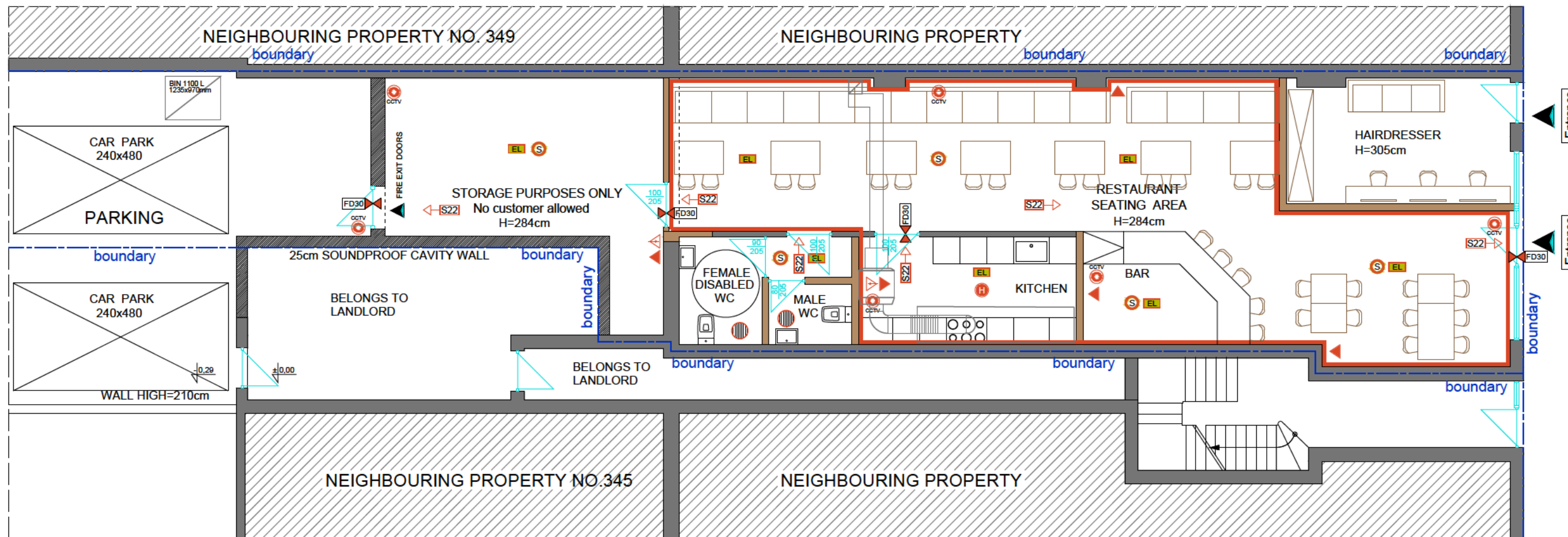
Don't forget to make sure you have all your supporting documentation to hand.

**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**



NOTES: THIS DRAWINGS AND WORKS SHOWN ARE THE COPYRIGHT OF NORTHPOINT PLANNING AND LICENSING SERVICES AND MAY NOT BE REPRODUCED EXCEPT WRITTEN PERMISSION. ALL FIGURED DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION.



EXISTING WALLS      WALLS TO BE REMOVED      PROPOSED CAVITY WALLS      PROPOSED STUD WALLS

Proposed Ground Floor Plan  
1:100

- Licensing Area highlighted in red
- ▲ Carbon Dioxide fire extinguisher
- ▲ Water fire extinguisher
- CCTV
- Carbon Monoxide Detector
- Heat Detector
- Smoke Detector
- Fan
- Emergency Light
- ← S22 Running Man / Fire Exit Sign
- 30Minutes Fire Door



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PROJECT: 347 Holloway Road, N7 0RN			
DRAWING: Proposed Ground Floor Plan			
PROPOSAL / PROJECT: New Premises Licence			
DRAWING FOR: Licence			
Scale: 1:100 A3	Drawn: H.E	Checked:	Date: 24.02.2023
Drawing / JOB NO <b>HOLLO-01</b>			Revision: <b>1.5</b>

## Appendix 2

Rep 1

Comment: Public Nuisance

I reside XXXXXXXX the restaurant lounge and we already have had many inconveniences with this venue because they put the music so loud which makes us feel as if we have a party in our room and consequently making impossible for us to sleep. This situation happens frequently during weekends when they close the door to pretend that the business is closed but they are having these clandestine parties during the whole night. They keep the music from 12 am and can last even until 4 am.

I completely disagree with giving them the licence because if all of this has happened without the license and shorter hours, I don't want to know how things are going to be if they are allowed to play music until 12 am. Things are already pretty uncomfortable for all the residents here.

I hope you can avoid this to happen.

Rep 2

I'm against this new license application because of the following reasons:

### **1.- Public Nuisance:**

My problem with the establishment opening is the closing hours. I'm afraid their closing times during the week and weekend will create a lot of noise outside and will be disturbing the peace in our home.

The building structure is quite old and doesn't prevent the sound XXXXXXXXXXXXXXXXXXXXXXXX  
At the moment, there has been some work going on my flatmates can hear it. Not sure why they are proceeding with works inside the shop if they haven't considered residents opinion first about the opening of this restaurant.

As well, I'm concerned the late sale of alcohol or late hosting events at this place could disturb our sleep and peace at home if they let people stay outside or inside after 11:00 pm or midnight.

### **2.- Crime and disorder:**

I'm already concerned that the people applying for this license are not respectful or friendly. According to my roommate, there has been work going on late at night passing 11:00 pm.

She went to have a conversation about the noise and the person who was there at the moment (named Dawit) was quite aggressive and said he "didn't give a fuck" when she pointed their conduct was unacceptable and disrespectful.

She tried to get some evidence about this and the man lunged at her and chased her down the street.

This is not a nice behaviour and shouldn't be accepted in this neighbourhood since they are clearly not showing any consideration towards the residents of the building.

I hope you consider our opinion and interests towards the opening of this new license.

Hope to hear from you soon.

Kind regards,

Rep 3

I am a resident of Holloway Road, N7 ORN. We have been notified that the D&D Restaurant and Lounge of 347 Holloway Road has applied for a license for 1) the sale of alcohol and 2) late night refreshment.

My fellow tenants and I strongly object to the granting of the above licenses on the grounds of "the prevention of public nuisance" and "the prevention of crime and disorder" as listed in your "licensing objectives".

- The building is extremely old with thin walls, to which point we can hear it whenever someone talks or walks around in the lounge during both daytime and evening. Several of us work from home during the day and the serving times suggested in the license grant would prevent us from getting adequate sleep and rest in our home. The structure of the building make late night serving of alcohol incompatible with acceptable activity in a residential area.
- To the second point: we refer to the stabbing that took place directly outside the D&D Lounge in late October 2022 after a drunken brawl in the lounge. I and several other building residents were questioned by the police in relation to the incident and the entire building was closed off for a day during the police investigation. Holloway Road is already the site of significant public disturbance (note its proximity to Arsenal football stadium), and expanding the remits for both crime and noise disturbance would not be a responsible decision by the Islington License Authority.

To both points: We note that the D&D Lounge has not been able to perform its current serving mandate in an acceptable manner to date. We have submitted numerous complaints to the council on grounds of public nuisance, specifically building works and parties which have taken place throughout all hours of the night on both weekdays and weeknights. We have a strong suspicion that both the building works (which were exclusively undertaken after 23.00) and the parties (which the owner confirmed had occurred when he rented out the lounge privately) were not undertaken legally. We have called the police on several occasions, but the disturbance has kept happening despite our complaints and talks directly with the lounge owner (Dave).

As residents directly affected by the proposed license regulation change, we will not under any circumstances accept an expansion of D&D Lounge's serving mandate. The owner of our flat will also be in touch shortly regarding this issue.

Please confirm your receipt of our objections and inform us of any further developments.

Regards,

Rep 4

**Re: Objection to license application for 347 Holloway Rd, N7 0RN.**

Dear Sir / Madam,

I am writing to make a formal representation, that I wholly oppose any licence for the sale of alcohol and/or late night refreshment in regards to D&D Restaurant & Lounge, located at 347 Holloway Rd, N7 0RN. I oppose this licence application primarily due to:

Regular noise disturbances during antisocial hours emanating from D&D Restaurant & Lounge. Acts of violence that have occurred both inside and directly outside of D&D Restaurant & Lounge, including a stabbing/drunken brawl (which the police became involved with) that occurred in late October 2022.

Intimidating/threatening behavior from the staff of D&D Restaurant & Lounge, when asked to act more considerately.

Up until now, D&D Restaurant & Lounge has shown absolute disregard for residents that live closeby. As such, I believe that issuing an alcohol/late night refreshment licence would be completely inappropriate, and lead to major new problems in the area in the future. Therefore, I urge you to reject the application on the grounds outlined above.

Kind regards,

Rep 5

Licensing Application Reference: WK/230005402

Dear Islington Licensing Team,

I have strong concerns about the licence application of

D&D Restaurant and Lounge, 347 Holloway Road, Islington, London, N7 ORN

And wish to make comments about it.

I'll try to use the provided representation pro-forma as best as I can.

General Note:

[REDACTED] me and my flatmates have already had a lot of issues with them, especially concerning nuisance.

Concerning prevention of nuisance:

The above premise has held late night parties frequently.

Loud singing, clapping stomping, as well as loud music could be heard until late into the night, and even until the early morning. The noise was clearly travelling through the building and was audible throughout the flat, as well as mild vibrations could be felt.

My flatmates and I have contacted the council multiple times about this, an officer has visited our home. All these incidents should be on file with you.

The premise also has a backyard shed attached to the main building which is not soundproof. Loud noise can be heard through it, when it's in use, also late into the night. People standing outside it are sometimes producing even louder noise.

On top of this, the applicant is in the process of doing construction work on his premise and doesn't keep quiet times according to council rules, with works being done and noise of drilling and hammering, among others, being heard until as late as 11pm.

All the above is a big issue for me, my flatmates, and as of my knowledge, for other tenants of the building as well.

I am most certain that the noise will increase and for longer periods of time. As you can appreciate, we are very concerned that the little peace and quiet we do currently have will have will no longer be.

Concerning prevention of crime & disorder:

In October 2022, resulting from a brawl in the D&D Lounge, which took place past licensing hours, a stabbing had taken place in front the premise and the building.

The morning after, the pavement around the entrance to our flat was closed off by police and habitants of the building, including my flatmates and me, had been interviewed about the incident.

This is a severe case of neglecting of the applicants responsibility towards public safety and thus no further licence should be granted by the council towards the applicant.

Another incident has occurred on the 19.03.2023, was directly intimated by the owner.

kindly ask the owner to stop the construction works he was doing, as they were causing nuisance after legal hours. The owner was very aggressive and lunged at her when she tried to collect evidence of his intimidating behaviour as well as his ignorance towards public concerns.

has filed this with the police and written the council about the incident.

In closing, these incidents are proof that the applicant does neither care about prevention of public nuisance, nor about the prevention of crime & disorder or public safety.

It is to note, that the applicant, D&D Lounge, has failed to perform their current serving mandate in an acceptable manner. There's also the strong suspicion, that some of the building works and especially the nightly parties, have not been undertaken legally.

Yours sincerely,

Dear Licensing,

The Planning & Development section has the following comments to make in relation to the above license application.

The property is not a listed building or in a Conservation area.

### Relevant Planning History

- Planning permission was granted on 08/07/2021 for the “Erection of single storey rear extension, installation of kitchen extractor system and flue at rear and associated alterations with the use of the ground floor as a restaurant and barber shop (Class E).” refs: (P2019/2824/FUL). The application was approved with various conditions including condition 4 (hours of Operation), condition 5(Fixed Plant (compliance), condition 7 (Fixed Plant hours of operation (compliance) and Condition 8 (Flue (compliance)).

**Condition 4 (HOURS OF OPERATION (COMPLIANCE):** The ground floor units shall not operate outside the hours of: 09:00-23:00 Monday to Fridays, Saturdays, Sundays and Bank Holidays.

**REASON:** To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

**Condition 5 FIXED PLANT (COMPLIANCE):** The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.

**REASON:** To ensure neighbouring amenity is maintained in respect to noise and vibration.

**Condition 7 FIXED PLANT HOURS OF OPERATION (COMPLIANCE):** The kitchen extraction system shall only be operated between the hours of 08:00 to 22:30 each day only. The kitchen extraction system shall not be operated outside of these hours.

**REASON:** To ensure neighbouring amenity is maintained in respect to noise and vibration.

**Condition 8 FLUE (COMPLIANCE):** Notwithstanding the plans hereby approved, the flue/stack shall discharge the extracted air no less than 1.0m above the roof eaves of the building to which it is affixed. The flue shall be fitted with fine filtration or Electrostatic Precipitation followed by carbon filtration (carbon filters rated with 0.1



second residence time) or alternatively fine filtration followed by carbon filtration and by counteractant/neutralising system to achieve the same level as above.

The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or replacement shall be easily accessible.

REASON: To ensure neighbouring amenity is maintained in respect to odour.

Currently the council has not received Approval of Details application(s) to discharge condition(s) 5 FIXED PLANT (COMPLIANCE) and Condition 8 FLUE (COMPLIANCE).

- **Planning Enforcement**

There is an open enforcement case ref: ENF/2022/19, and the breach of planning control consists of the “Erection of flue to rear not in accordance with planning permission ref: P2021/1252/FUL. As part of the enforcement procedure the Council’s requested the submission of a S37 application to resolve the breach above. A current S73 application was submitted to the Council on 29/12/2022 for the “Removal / Variation of Conditions 2, 3 and 8 of Planning Permission Ref. P2021/1252/FUL dated 08/07/2021. Erection of single storey rear extension, installation of kitchen extractor system and flue at rear and associated alterations with the use of the ground floor as a restaurant and barber shop (Class E). However, the application remains invalid awaiting the submission of planning statement.

- **Proposed Licensable activities Table**

Licensable activities	timings applied for	Timings / not compatible
Alcohol on the premises:	Monday – Thursday: 12:00 – 22:30, Friday – Saturday: 09:00 – 00:00 and Sunday: 12:00 – 22:00	Timings for Friday – Saturday: <b>Not compatible</b> with approved hours of operation.
Late Night Refreshment:	Late Night Refreshment: Friday – Saturday: 23:00 – 00:00	Timings <b>Not compatible</b> with approved hours of operation.
Opening Hours	Sunday – Thursday: 09:00 – 23:00 and Friday – Saturday: 09:00 – 00:00	Timings are compatible

Although, the property has established use as a restaurant and Barbershop use now within Class E of the Use Classes Order 1987 (as amended), the proposed timings for the licensable activities (Alcohol on the premises and Late Night refreshments are not compatible, additionally there is an open enforcement case ( where the current S73 application remains

invalid), and conclusively, conditions 5 and 8 of P2021/1252/FUL have not been compiled with.

As such, an objection is raised.

Please note that these comments are based solely on the information provided on the licensing application form and do not constitute a guarantee that planning permission is or is not required. If the applicant requires formal confirmation that no planning permission is needed for the activities described in the licence application, they are recommended to submit an application for a certificate of lawfulness under Sections 191-2 of the Town and Country Planning Act 1990 (as amended

Kind regards

**Ivan Kato Diimu**

**Planning Enforcement Officer**

Planning & Development Management  
Community Wealth Building | London Borough of Islington

## Appendix 3

Dear Neighbours,

I am writing on D&D RESTAURANT AND LOUNGE relation to the premises and premises licence application which you have commented on.

Firstly i would like to apologise for inconvenience that has happened for the past. I have rent the business that been create lot of noise and disturb which I have managed to take back from then and change completely the business to restaurant and again I apologised for what happened for the past. Related to the noise and miscommunication.

I would like to thank you for taking the time to point out your concerns as this helps is 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 RESTAURANT AND a cafe offering. The cafe AND RESTAURANT offering with the proposed sale of alcohol will complement the RESTAURANT FOR customer experience.AND I 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.

[dawit\\_nigussie@yahoo.com](mailto:dawit_nigussie@yahoo.com)

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.

### **Suggested conditions of approval consistent with the operating schedule**

1. No one under the age of 18 years will be allowed into the smoking area of the premises.
2. Customers requested to leave the premises in a quiet and orderly manners.
3. The licence shall have suitably worded sign, of a size A4 or larger, shall be displayed at each exit point from the premises.

4. The licence have ensure there is a sign that reminds customers to respect the neighbours, leave the area quietly and request that they do not congregate outside the premises.
5. The licensee shall ensure that the management and staff prevent the admission of, and ensure the prompt departure from the premises of, any and all drunk and or disorderly people or other people displaying signs of other substance use, without causing any disorder; -
6. The licence holder shall ensure that deliveries of goods are at afternoon times (Delivery times not to be very early or late) –

**Conditions proposed by the Metropolitan Police ( Agreed )**

7. CCTV shall be installed, operated and maintained at all times that the premises is open for licensable activities, so as to comply with the following criteria;
8.
  - 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. A record of these checks, showing the date and time of the person checking, shall be kept and made available to police or authorised council officers on request
  - The police must be informed if the system will not be operating for longer than one day of business for any reason
9.
  - One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering
  - The system will provide coverage of any exterior part of the premises accessible to the public
  - The system shall record in real time and recordings will be date and time stamped
  - Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to police or authorised council officers on request, (subject to the Data Protection Act 1998) within 24 hours of any request, and
10.
  - At all times the premises are open for licensable activity, there will be a person on the premises who can operate the system sufficiently to allow police or authorised council officers to view footage on request.
11. Clear, permanent signage shall be prominently displayed at the premises highlighting:
  - (a) 'CCTV in Operation'.
  - (b) 'Challenge 25 Proof of Age Scheme in operation'.
  - (c) 'Residential Area: Please be respectful of our neighbours and leave quietly'.
12. An incident log shall be maintained at the premises, and made available to the Police or any authorised officer upon reasonable request. All entries will

include time/date/name of person making entry. Said log will record the following;

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder either in or directly outside the venue
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any visit by a relevant authority or emergency service.
- (h) any refusal of alcohol sales

13. The premises shall only operate as a restaurant whereby:

- (a) All customers are shown to their table;
- (b) The supply of alcohol is by waiter or waitress service;
- (c) Substantial meals, freshly prepared on the premises, shall be served and consumed at the table using non disposable crockery;
- (d) Save for the exception made at (e) below; alcohol shall only be supplied to persons seated in the premises and taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
- (e) There shall be no vertical drinking on the premises at any time save for a maximum of 6 persons permitted to be provided with a drink whilst waiting to be shown to their table.

14. A dispersal policy shall be written and maintained on the premises, and made available upon request to police and local authority. Said policy shall, so far as is possible:

- (a) ensure that minimum disturbance is caused to neighbouring premises and residents.
- (b) ensure that the operation makes the minimum impact upon the environs/vicinity in relation to potential nuisance and anti-social behaviour.

15. In the event that any assault or serious crime is (or appears to have been), committed on the premises, the management shall immediately ensure that;

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All safe and practicable steps are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police.

16. The premises shall operate the Challenge 25 proof of age scheme, where the only forms of acceptable identification shall be:

- Photographic driving licence;
  - Valid passport;
  - Military/ UK Services Photo ID;
  - PASS Hologram ID
17. All staff members engaged in selling alcohol on the premises shall, upon induction and every 12 months thereafter, receive training pertinent to the Licensing Act. Said training shall be fully documented and kept at the premises (in digital or paper form), for inspection by Police or other authorised officers.
  18. Training shall include, but not be limited to:
    - Challenge 25
    - Refusal of sales of alcohol
    - Identifying signs of intoxication and attempts by intoxicated persons to purchase alcohol
    - Correctly making incident log entries.
  19. The licensee shall train and instruct the management and staff to prevent the admission of, and ensure the immediate and orderly departure of:
    - (a) any and all persons who appear to be drunk and/or disorderly
    - (b) any and all persons displaying signs of other substance abuse.
  20. A fully stocked first aid kit shall be maintained at the premises and all staff shall be aware of its location.
  21. The premises shall not be hired out to any third party and no promoted or ticketed events will be staged at the premises.

**Conditions proposed by the Council's Noise Service- (Agreed)**

22. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
23. Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.
24. In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.
25. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
26. There shall be no more than 10 customers outside the front of the premises smoking; drinks shall not be taken outside whilst smoking. The smoking area

shall be monitored and patrons encouraged not to be noisy or brought back into the premises if necessary.

**Suggested conditions of approval consistent with the operating schedule**

1. No one under the age of 18 years will be allowed into the smoking area of the premises.
2. Customers requested to leave the premises in a quiet and orderly manners.
3. The licence shall have suitably worded sign, of a size A4 or larger, shall be displayed at each exit point from the premises.
4. The licence have ensure there is a sign that reminds customers to respect the neighbours, leave the area quietly and request that they do not congregate outside the premises.
5. The licensee shall ensure that the management and staff prevent the admission of, and ensure the prompt departure from the premises of, any and all drunk and or disorderly people or other people displaying signs of other substance use, without causing any disorder; -
6. The licence holder shall ensure that deliveries of goods are at afternoon times (Delivery times not to be very early or late) –

**Conditions proposed by the Metropolitan Police ( Agreed )**

7. CCTV shall be installed, operated and maintained at all times that the premises is open for licensable activities, so as to comply with the following criteria;
8.
  - 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. A record of these checks, showing the date and time of the person checking, shall be kept and made available to police or authorised council officers on request
  - The police must be informed if the system will not be operating for longer than one day of business for any reason
9.
  - One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering
  - The system will provide coverage of any exterior part of the premises accessible to the public
  - The system shall record in real time and recordings will be date and time stamped
  - Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to police or authorised council officers on request, (subject to the Data Protection Act 1998) within 24 hours of any request, and
10.
  - At all times the premises are open for licensable activity, there will be a person on the premises who can operate the system sufficiently to allow police or authorised council officers to view footage on request.
11. Clear, permanent signage shall be prominently displayed at the premises highlighting:
  - (a) 'CCTV in Operation'.
  - (b) 'Challenge 25 Proof of Age Scheme in operation'.
  - (c) 'Residential Area: Please be respectful of our neighbours and leave quietly'.



12. An incident log shall be maintained at the premises, and made available to the Police or any authorised officer upon reasonable request. All entries will include time/date/name of person making entry. Said log will record the following;
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder either in or directly outside the venue
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any visit by a relevant authority or emergency service.
  - (h) any refusal of alcohol sales
13. The premises shall only operate as a restaurant whereby:
  - (a) All customers are shown to their table;
  - (b) The supply of alcohol is by waiter or waitress service;
  - (c) Substantial meals, freshly prepared on the premises, shall be served and consumed at the table using non disposable crockery;
  - (d) Save for the exception made at (e) below; alcohol shall only be supplied to persons seated in the premises and taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
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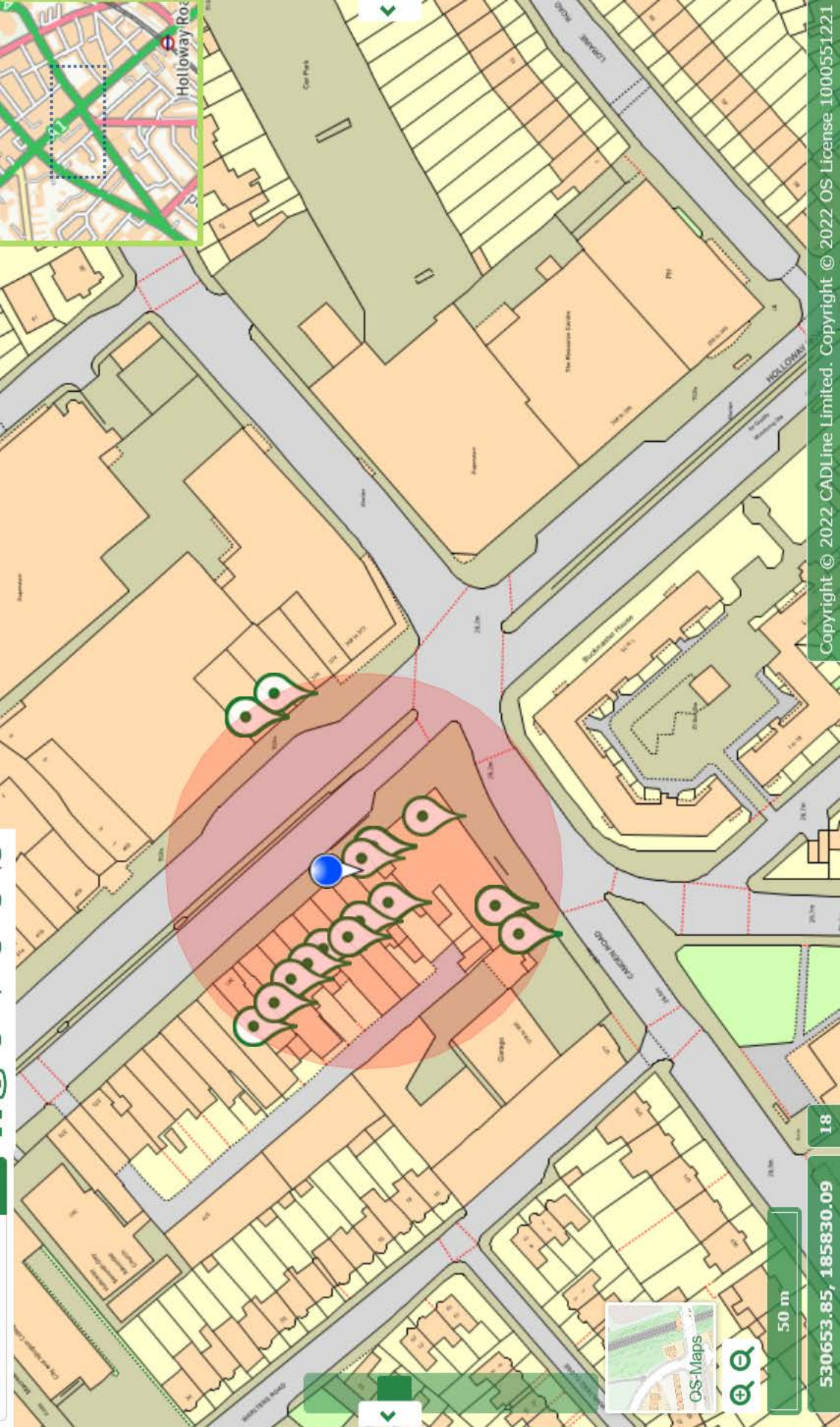
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Holloway Road

Car Park

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