

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

Report of: Director Community Safety, Resilience and Security

Meeting of: Licensing Sub-Committee 'A'

Date: 06/02/2024

Ward(s): St Mary's and St James'

Subject:

PREMISES LICENCE NEW APPLICATION

Re:

External & Covered Shopping Arcade Areas,
Esther Anne Place and 116 Upper Street,
Islington Square Development, London, N1
1AP.

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 by retail of alcohol, on & off supplies, Fridays from 12:00 until 19:00, Saturdays from 10:00 until 17:00 and Sundays & Bank Holidays from 11:00 until 17:00.**

1.3. Relevant Representations:

Licensing Authority	No
Metropolitan Police	No
Noise	No
Health and Safety	No
Planning & Development	Yes
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: Twenty nine
Other bodies	Yes: Two local resident associations

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 Angel and Upper Street 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 3); and
 - ii. Any conditions deemed appropriate by the Licensing Sub-Committee to promote the four licensing objectives.

3. Background

- 3.1. This new premises licence application was received by the Licensing service on 26th October 2023.
- 3.2. The Council's planning and development service submitted a representation, which remains outstanding, and can be found at Appendix 2 of this report.
- 3.3. At the end of the consultation period there were 32 representations outstanding including one from the planning service, two from local resident associations and twenty nine from local residents. These can be found at Appendix 2.
- 3.4. In response to the concerns raised, the applicant's representative advised of an amendment to the proposed premises licence. The presentation of films element was removed from the proposal.
- 3.5. The application was originally scheduled to go before Licensing Sub-Committee B on the 19th December 2023 but was adjourned after a successful request from the applicant.
- 3.6. Since the amendment detailed at 3.4, the applicant has further amended the proposal. The hours being sought for the sale of alcohol have now been amended and now match those of the planning permission for the premises. The hours now being sought are those detailed at 1.2 of the report.

4. Implications

4.1. Financial Implications

- 4.1.1. The Head of Finance reports that the applicant has paid the application fee of £315.00. Should the application be refused, the fee is not refundable.

4.2. Legal Implications

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

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

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

4.4. Equalities Impact Assessment

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

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

4.5. Planning implications

4.5.1. There has been a detailed representation submitted by the Council's planning and development service in response to the application

4.5.2. This representation, numbered Rep 1, can be found at appendix 2 of this report.

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: suggested conditions and map of premises location.

Background papers:

- None.

Final report clearance:

Authorised by:

Terrie Lane

Licensing Manager

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

Sager House (Almeida) Limited

* E-mail

athomas@tandtp.com

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.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

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

Registration number

04177350

Business name

Sager House (Almeida) Limited

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- 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.

Agent 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

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent 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

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Private limited company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

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

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /

dd mm yyyy

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

dd mm yyyy

Provide a general description of the premises

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

Market in the common parts of Islington Square, including Esther Anne Place

The space has previously been licensed under a time-limited premises licences.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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 exhibition of films take place indoors or outdoors or both?

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

Indoors Outdoors Both

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 the exhibition of film

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 exhibition of film 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 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?

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- 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

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

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

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

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

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

Name

First name

Family name

Continued from previous page...

Date of birth

/ /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

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

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.

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

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.

Continued from previous page...

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.

please refer to the attached schedule of conditions for the promotion of all four licensing objectives.

b) The prevention of crime and disorder

please refer to a) above

c) Public safety

please refer to a) above

d) The prevention of public nuisance

please refer to a) above

e) The protection of children from harm

please refer to a) above

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

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 (£)

315.00

DECLARATION

Continued from previous page...

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

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

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

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

OFFICE USE ONLY

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

Application for Premises Licence

**ISLINGTON SQUARE
ESTHER ANNE PLACE AND SHOPPING ARCADES
N1**

APPLICATION SUMMARY

Proposed Hours

Sale of Alcohol (on and off)	Monday – Sunday: 10:00 – 21:00
Films	Monday – Sunday: 10:00 – 21:00
Opening Hours	Monday – Sunday: 10:00 – 21:00

Proposed Conditions

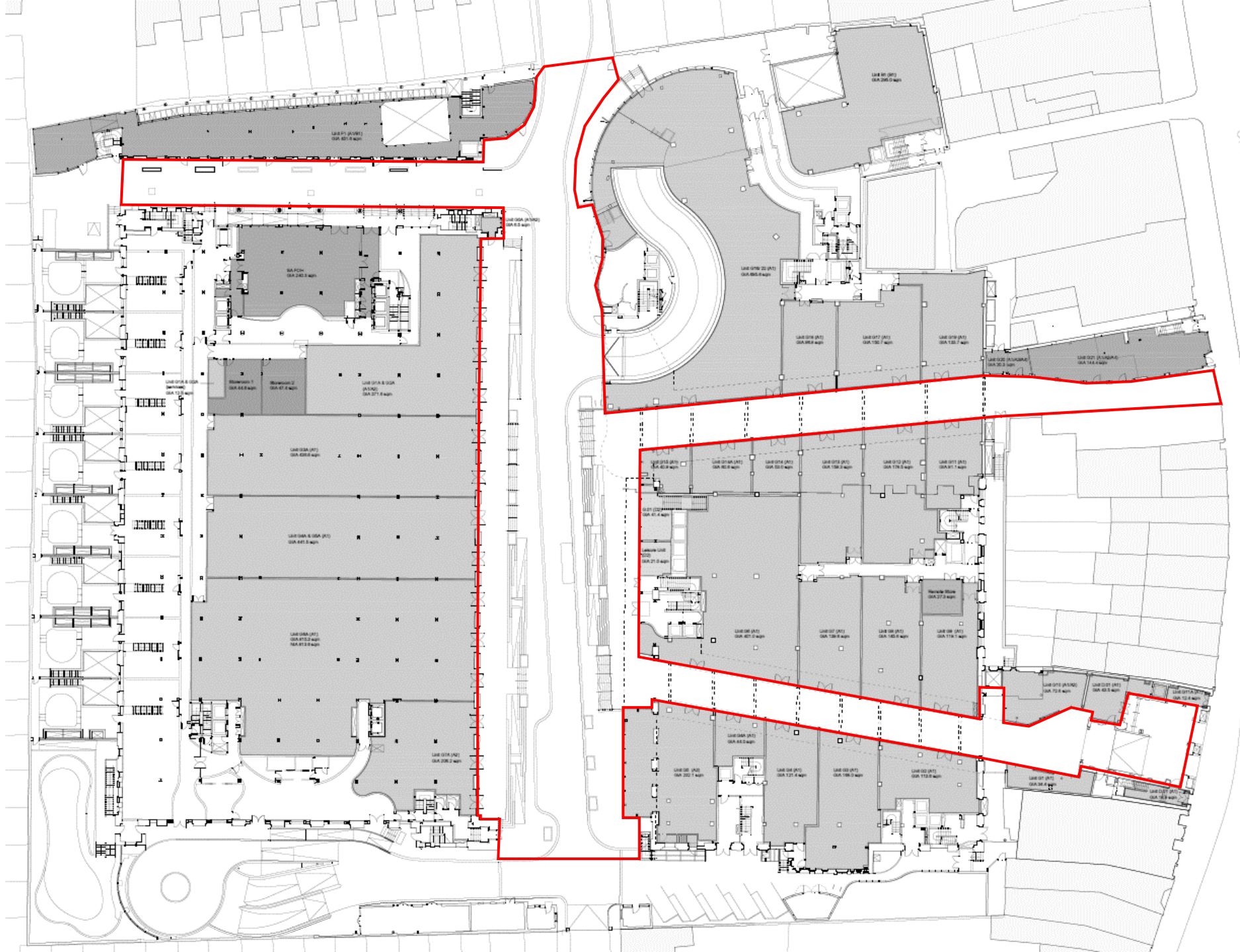
1. Event organisers and persons involved with the event shall be advised on appropriate crime prevention measures.
2. Details of the arrangements for the control of crowds and vehicles outside the premises shall be provided to the Metropolitan Police Service and the council, upon request.
3. CCTV is installed, operated, and maintained, to function all times. Said CCTV complies with the following criteria:
 - (a) The licensee ensures that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
 - (b) A record of these checks, showing the date and name of the person checking, is kept and made available to the police or other authorised officer on request;
 - (c) The Police will be informed if the system will not be operating for longer than one day for any reason;
 - (d) Cameras are positioned so as to show a close-up of the entrances to the footprint, to capture a clear, full length image of anyone entering;
 - (e) The system is recorded in real time and recordings will be date and time stamped;
 - (f) The system is specified so as to operate satisfactorily regardless of lighting conditions;
 - (g) At least 1 member of staff on duty is able to operate the system sufficiently to allow Police or authorised Council officers to view footage on request;
 - (h) Recordings are kept for a minimum of 31 days;
 - (i) Footage will be provided free of charge to the police or other authorised officers upon request (subject to the Data Protection Act 1998) within 24 hours of any request.
4. An incident log shall be maintained and made available upon request to the Police or an authorised officer which shall record:
 - Any and all allegations of crime and/or disorder reported on the premises' footprint.
 - Any and all complaints received by any party.
 - Any faults in the CCTV system.
 - Any visit by a relevant authority or emergency service.
 - Any and all ejections of patrons.
 - Any and all seizures of drugs or offensive weapons.
5. In the event that crime or serious disorder is, or appears to have been, committed on the premises' footprint the management shall ensure that:

- The Police and, where appropriate, the London Ambulance Service are called immediately.
 - As far as is safe and reasonably practicable all measures shall be taken to apprehend any identified suspects pending the arrival of the Police.
6. The premises shall display and maintain appropriate signage advising customers:
 - The contact details for the responsible person in relation to any event operating under this premises licence.
 - CCTV is in operation across the premises' footprint.
 7. The premises licence holder shall ensure that the management and staff prevent the admission of and ensure the prompt departure from the premises' footprint of, any and all drunk and/or disorderly people or other people displaying signs of other substance use, without causing any disorder.
 8. All staff shall be trained in dealing with persons who are incapacitated through the use of drugs or the combined effect of drugs and alcohol.
 9. All SIA licensed security staff shall enter their full details in the premises daily register at the commencement of work. This shall record their full name, home address, contact telephone number, SIA registration number and the time they commenced and concluded working. If the SIA licensed security staff was supplied by an agency, details of that agency shall also be recorded including the name of the agency, the registered business address and a contact telephone number.
 10. All SIA licensed security staff and other persons engaged at the premises for the purpose of supervising or controlling queues of customers and/or whilst engaged in the dispersal of customers shall wear high visibility clothing, i.e. jackets, vests or armbands.
 11. Persons shall not be permitted to leave the premises with alcohol in an opened container.
 12. All drinks promotions shall be risk-assessed to ensure the promotion is not irresponsible. Each risk-assessment shall consider the nature of the premises, the nature of the promotion including the size and duration of any discount and the type of customer potentially attracted by the promotion.
 13. Drinks for consumption on the premises shall be served in containers made from non-glassware material, e.g. plastic, toughened glass/polycarbonate etc.
 14. All drinks in glass bottles for consumption on the premises shall be decanted into non-glassware vessels prior to supplying it to the customer.
 15. Event management shall encourage the flow of people throughout the estate when required and maintain clear pedestrian routes.
 16. All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.
 17. All activities shall undergo a risk assessment prior to the event.
 18. Suitable and sufficient precautions shall be taken for securing the health and safety of persons in and about the premises.
 19. Temporary structures shall be capable of withstanding any load or force to which they may be subjected and shall be erected by competent persons in accordance with safety guidelines.

20. No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.
21. The premises has 24/7 security who are contactable at any time with a telephone.
22. First aid facilities shall be provided with adequate equipment and a sufficient number of trained first aiders.
23. Competent persons shall at all times supervise the events activities.
24. Firefighting appliances shall be inspected and serviced by a competent person within the last 12 months and shall be located around the premises in staffed areas.
25. Adequate access for emergency services vehicles shall be provided and maintained both to and within the premises. Such access shall only accommodate items that can be easily removed in the event of an emergency.
26. The premises licence holder shall produce an event management plan and full risk assessments in line with the requirements of the HSE event safety guide.
27. Should a temporary electrical system be required using generators and wiring systems all work shall be carried out by competent and experienced electrical contractors.
28. Electrical distribution positions, switchgear and wiring shall be kept out of reach of the public and guarded against unauthorised interference.
29. Relevant responsible authorities, local residents' associations and the Licensing Authority shall be advised of any event planned to operate under this licence at least one week prior to the scheduled event.
30. Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.
31. Suitable receptacles shall be provided for refuse.
32. Arrangements shall be made for the removal of refuse to secured storage areas.
33. Contact details of the event management and security team shall be displayed at a prominent location.
34. In the event of a noise/nuisance complaint substantiated by an authorised officer the premises licence holder shall take appropriate measures in order to prevent any recurrence.
35. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.
36. Between the hours of 22:30 and 08:00 no waste/glass bottles shall be moved or deposited outside.
37. There shall be no collections of refuse or deliveries of consumables between the hours of 22:30 and 08:00.
38. Children involved in any performance shall be kept under the supervision of responsible adults including transfer from the performance area to dressing rooms or anywhere else on the premises.

39. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
40. All occasions when persons have been refused service shall be recorded in the incident book. This record shall include:
- the date and time of the incident
 - a description of the person seeking to buy alcohol
 - the name of the staff member who refused the sale
 - the reason the sale was refused

The record must be made available for inspection when requested by an officer of a Responsible Authority.



Whitton, Daniel

From: Mcdonald, Joe
Sent: 21 November 2023 10:53
To: Lewis, Eleanor; Licensing
Subject: RE: Premises Licence Application: Islington Square Development, Street Record, Esther Anne Place, London.

Follow Up Flag: Follow up
Flag Status: Completed

UPDATED RESPONSE

Dear Eleanor,

Islington Square Development, Street Record, Esther Anne Place, London

The Planning & Development section have the following comments to make in relation to the above application:

The land is not listed, but is located within the Upper Street (North) Conservation Area (CA19). The property forms part of the Islington Square development.

The wider development has an approved Sui Generis mixed use (A1, A1/A3, A4, B1 D1 and D2).

The proposed hours and days of the market would be in breach of planning condition 3 attached to planning permission reference P2021/1635/FUL, furthermore the area outlined by this licensing application goes beyond the area approved for a market by the aforementioned planning permission.

Planning history: -

The planning records indicate the following key applications:

- P052245 – Partial demolition, alteration, extension and change of use of buildings A,B,D F, and associated outbuildings and structures, to provide a mixed use scheme comprising residential (C3), with the creation of 185 new dwellings (127 private and 58 affordable). Change of use of remainder of buildings with 2348 sq m new floorspace to provide: Business (B1) Retail (A1, A2, A3 including relocation of post office counter), leisure (D2) serviced apartments (temporary sleeping accommodation as defined by the Greater London Planning Act 1973) performance space, rehearsal space and theatre storage, with associated access, parking and landscaping – Approved with conditions 07/11/2005
- P2013/2697/S73 – Section 73 (minor material amendment application) to vary condition 2 (approved plans) of planning permission ref: P052245 dated 06 July 2007. The amendment seeks to: replace the ground floor office space (2,155 sq.m.) in 'Block A' with retail; replace the retail at the upper basement level of 'Block B' (1854 sq.m.) with planning use class D2 (Assembly and leisure) space; and, replace the approved servicing area at ground floor level of 'Block B' with retail - Approve with conditions and legal agreement 04/11/2014

- P2017/2870/S73 – Application under Section 73 (minor material amendment) of the Town and Country Planning Act (1990) to amend condition 2 (approved drawings and documents), condition 1 (plans) of planning permission ref: P2013/2697/S73. The proposed minor material amendments relate to the amalgamation of 10 units across second, third, fourth and fifth floors resulting in the creation of larger units (and involving the loss of 5 units overall) within Block A, together with layout changes to existing ground floor retail units 5 and 6 - Approve with conditions and legal agreement 24/12/2018
- P2018/2463/S73 – Application under Section 73 (minor material amendment) of the Town and Country Planning Act (1990) to amend condition 2 (approved drawings and documents), condition 1 (plans) of planning permission ref: P2013/2697/S73. The proposed minor material amendments relate to the amalgamation of 10 units across second, third, fourth and fifth floors resulting in the creation of larger units (and involving the loss of 5 units overall) within Block A, together with layout changes to existing ground floor retail units 5 and 6 - Approve with conditions and legal agreement 05/12/2019
- P2018/2465/S73 – Application under Section 73 (minor material amendment) of the Town and Country Planning Act (1990) to amend Condition 2 (approved drawings and documents), condition 1 (plans) of planning permission ref: P2013/2697/S73. The proposed minor material amendments relate to the amalgamation of 10 units across second, third, fourth and fifth floors resulting in the creation of larger units (and involving the loss of 5 units overall) within Block A, together with layout changes to existing ground floor retail units 5 and 6 - Approve with conditions and legal agreement 02/05/2019
- P2021/3433/S73 – Application under Section 73 (minor material amendment) of the Town and Country Planning Act (1990) to amend condition 16 and condition 17 of planning permission ref: P2018/2463/S73, dated 5 December 2019, that granted: Application under Section 73 (minor material amendment) of the Town and Country Planning Act (1990) to amend condition 2 (approved drawings and documents), condition 1 (plans) of planning permission ref: P2013/2697/S73. (The proposed minor material amendments relate to the amalgamation of 10 units across second, third, fourth and fifth floors resulting in the creation of larger units (and involving the loss of 5 units overall) within Block A, together with layout changes to existing ground floor retail units 5 and 6.)The proposed amendments seek to vary the wording of condition 16 and condition 17 to allow vehicles servicing the commercial tenants of Islington Square to enter and leave the site via the Almeida Street access. The Studd Street access would be used only to access the residential parking at Blocks A and B and for vehicles servicing the apartments on the site - Approve with conditions and legal agreement 04/10/2023
- **P2021/1635/FUL** – Operation of the Boulevard Market in Ester Anne Place (the piazza) of Islington Square on Fridays Saturdays and Sundays and Bank Holidays - Approve with conditions and legal agreement 04/10/2023.

CONDITION 3: The market hereby approved shall operate on the following days only:

- **Friday: 12:00-19:00,**
- **Saturday: 10:00-17:00**
- **Sunday and Bank Holidays: 11:00-17:00**

REASON: In the interest of protecting adjoining residents and offices amenity from noise, smells and disturbance.

CONDITION 4: The set up and dismantling of the market stalls shall take place on the following days only:

- **Friday: 08:00-20:00**

- **Saturday: 08:00-18:00**
- **Sunday and Bank Holidays: 09:00-18:00**

No more than 4 stalls shall set up at the same time.

On days where the market is not permitted the stalls shall be removed completely.

REASON: To mitigate against noisy activities that may lead to noise transfer and ensure that the proposed development does not have an adverse impact on neighbouring amenity.

CONDITION 5: Market trader preparations and clear up shall take place on the following days only:

- **Friday: 08:00-20:00**
- **Saturday: 08:00-18:00**
- **Sunday and Bank Holidays: 09:00-18:00**

No preparations will take place outside these hours and any trader vehicles arriving early will be held in the onsite dedicated servicing basement beneath Block C until the permitted time.

Following set up all traders vehicles needing to stay on site in association with their stall will be instructed to park in the onsite dedicated servicing basement beneath Block C for the duration of the market.

REASON: To mitigate against noisy activities that may lead to noise transfer and ensure that the proposed development does not have an adverse impact on neighbouring amenity

There are no relevant live enforcement cases.

The proposed days and hours of operation in the license application would be in breach of planning control. Furthermore, the provision of film screening would potentially constitute a change of use from the approved market and cause noise, nuisance and light pollution that would be detrimental to neighbouring residential amenity.

Planning objects to this license application, as the divergence from the planning conditioned days and hours of operation and film screening would potentially cause additional, noise, nuisance and anti-social behaviour that would be detrimental to neighbouring residential amenity and thus fail the licensing objective for the prevention of public nuisance.

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 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
Joe

Joseph McDonald
Deputy Planning Enforcement Manager
Tel: 020 7527 5614



22 November 2023

FAO: Licencing, Planning and Environmental Protection Teams

I am writing on behalf of Almeida Street Residents Association to object to the latest licensing application for Islington Square put forward by Sager to Islington Council.

Film screening and alcohol sales and consumption in all areas of the Square.

This license would enable them to have screenings and sell alcohol in the square every day of the week, every day of the year if they choose to. Potentially they could also apply in the future to extend the hours to later in the evening.

The mixed tenure residential nature of the Square which includes private, shared ownership and social rent homes along with our neighbouring residential/historic street – Almeida Street - has little acoustic insulation and was not designed to co-exist with amplified film screenings and large crowds gathering on a routine/permanent basis. The Square albeit mixed use was designed with quiet controlled commercial activities in mind, a complementary scheme to our neighbourhood road.

Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls. It is not considered that any appropriate restrictions could be imposed by The Licensing Authority to protect amenity of the residents in this instance.

We believe that a film screen in the square will create harm to people's health with amplified noise and sound pollution intruding into our homes. Our homes have not been designed to withstand such noise and light pollution. Throughout the summer months many of us would face the choice of closed windows or open windows/ventilation with unacceptable noise intrusion. This is not complementary

We have referred to Islington Council Licensing Policy 22 which states that:

"the Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses in the vicinity of licensed premises".

The proposal by its nature and location is likely to raise a potential for a number of public nuisance issues including: amplified sound/speakers, noise from patrons and moving of furniture, odour, smells and smoke, light pollution, litter and waste, street fouling and urinating in public.

The Square already has strict conditions placed on it to protect resident amenity and this licence would cause additional noise disturbance and fail the licensing objective for the prevention of public nuisance in the Square and on our neighbouring street.

We would very much appreciate the scrutiny of both the licensing and planning authorities to be applied to this alongside environmental protection and the noise abatement Officer. We understand that there have already been many resident objections to this application.

Thank you for your kind consideration of our objection.

Yours faithfully,

 on behalf of Almeida Street Residents Association.



Licensing Service, Islington Council

23 November 2023

Dear Sir/Madam

WK/23033763

Premises Licence Application New : Islington Square Development, Street Record, Esther Anne Place, Islington, London

The Sale of alcohol which may be consumed on or off the premises, showing of Films, Opening Hours Monday- Sunday 10.00 - 21.00

This is a representation made on behalf of the Moon Street and Studd Street Residents' Association.

Background

Islington Square is in the centre of the Angel and Upper Street Cumulative Impact Area. This is an area that is already considered to be saturated by Islington Council, where residents have reported significant noise, nuisance and disturbance from bars and restaurants.

The site and surrounding streets are residential and there are already multiple licensed restaurants in the immediate vicinity. Residents in Moon Street and Studd Street frequently suffer from noise and disturbance from customers dispersing from these premises in the evening and at night.

Licensing Application

1.Objection to the premises licence

We oppose this application on the basis of public nuisance, possible crime and disorder and protection of children from harm issues.

There is no clarity on the frequency of events and the potential number of people that may attend. The noise pollution and disturbance could be considerable.

The sale of alcohol on the site should respect the exceptional nature of Islington Square's location, and be limited in consideration of the potential for noise and disturbance.

Customers drinking on the site and leaving Islington Square having drunk alcohol over a prolonged period could have further detrimental impact on the amenity of residents in the area, particularly those living in the immediate vicinity.

If the Sub-Committee decides to grant the application it should be restricted to the reduced hours permitted for the previous time limited premises licence applications made by Islington Square 12.00 - 21.00.

Other considerations

1. Pedestrian Entrance & Exit

Conditions have been imposed on a number of units on the Islington Square site in relation to access or egress of customers via the Studd Street entrance to the site after 20.00 (by way of recognition of the adverse impact on those living close by) e.g in P2016/2471/FUL:-

“CONDITION 9: Entrance or exit from the hereby approved A3 unit after 20.00 hours on any day shall be from Upper Street only.

REASON: In order to protect residential amenity.”

Pedestrians have unrestricted access in and out of Islington Square on the pavements either side of a road barrier 24 hours a day. This is despite planning condition 12 in the amended planning conditions (P2013/2697/S73), which requires that entrance and exit from the mall area (which include the arcades and Esther Anne Place) is to be from Upper Street only after 22:00 on any day. The reason for this condition is, once again, to protect residential amenity.

This condition affects all access whereas the A3 unit licences contain the additional restriction that customers leaving those premises must exit via Upper Street after 20.00

To date there has been little effort to restrict pedestrian movement in and out of Islington Square through the Studd Street entrance after 20.00. Neighbours have been disturbed by individuals and groups entering and leaving the site through the Studd Street entrance and at times, loitering in Studd and Moon Streets.

It is essential that pedestrian access to the site is managed as stipulated through whatever means necessary and this should be a condition of any licence granted.

2. Liaison with Resident's Associations

We request that Resident's Associations are informed of events that are to take place in Islington Square and this requirement is included in the decision of the sub committee in the event that the application is granted. This was the decision of the Licensing Sub Committee of 1 August 2019.

Respectfully submitted on behalf of the Studd Street and Moon Street Residents' Association

[Redacted]

Chairperson

Moon and Studd Street Residents' Association

[Redacted]

And supported by the following individuals:

[Redacted]

Whitton, Daniel

From: [REDACTED]
Sent: 08 November 2023 15:54
To: Licensing
Subject: Islington Square Prevention of public nuisance, public safety, protection of children from harm

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Sirs,

7th November 2023

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

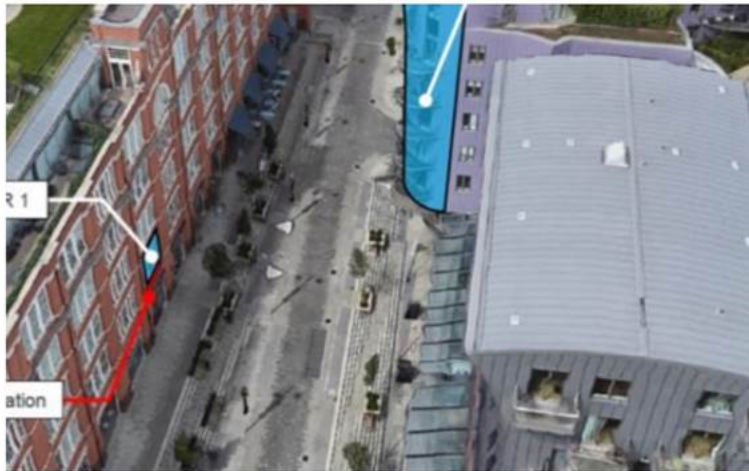
Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Object: Prevention of public nuisance, public safety, protection of children from harm

I hereby inform you of my opposition to the above-mentioned License requested by the Islington Square Development.

Indeed, the applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open-air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition, the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

"In general, for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:"

Table 2.1 British Standard BS8233:2014 internal noise level criteria

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:”

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Dining room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

“This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed ‘anonymous noise’ ...”

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application, we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition, the Hann Tucker Associates report in their refused planning application states the following: *“Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply:*

“Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.”

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people’s homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents' (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Sincerely yours

A large black rectangular redaction box covers the signature and name of the sender. The redaction is composed of several overlapping horizontal bars of varying lengths, creating a solid black area.

.....

Dear Licensing, Planning team, and Environmental Protection

We are writing as the Almeida Street Residents Association to object to the latest licensing application for Islington Square put forward by Sager to Islington Council.

Sager are applying for the following license:

Monday-Sunday

10.00-21.00

Film screening and alcohol sales and consumption in all areas of the Square

This license would enable them to have screenings and sell alcohol in the square every day of the week, every day of the year if they choose to. Potentially they could also apply in the future to extend the hours to later in the evening.

The mixed tenure residential nature of the Square which includes private, shared ownership and social rent homes along with our neighbouring residential/historic street – Almeida Street - has little acoustic insulation and was not designed to co-exist with amplified film screenings and large crowds gathering on a routine/permanent basis. The Square albeit mixed use was designed with quiet controlled commercial activities in mind, a complementary scheme to our neighbourhood road.

Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls. It is not considered that any appropriate restrictions could be imposed by The Licensing Authority to protect amenity of the residents in this instance.

We believe that a film screen in the square will create harm to people's health with amplified noise and sound pollution intruding into our homes. Our homes have not been designed to withstand such noise and light pollution. Throughout the summer months many of us would face the choice of closed windows or open windows/ventilation with unacceptable noise intrusion. This is not complementary

We have referred to Islington Council Licensing Policy 22 which states that:

"the Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses in the vicinity of licensed premises".

The proposal by its nature and location is likely to raise a potential for a number of public nuisance issues including: amplified sound/speakers, noise from patrons and moving of furniture, odour, smells and smoke, light pollution, litter and waste, street fouling and urinating in public.

The Square already has strict conditions placed on it to protect resident amenity and this licence would cause additional noise disturbance and fail the licensing objective for the prevention of public nuisance in the Square and on our neighbouring street.

We would very much appreciate the scrutiny of both the licensing and planning authorities to be applied to this alongside environmental protection and the noise abatement Officer. We understand that there have already been many resident objections to this application.

Ensuring that Licencing and Environmental Protection for Islington Council are aware of baseline context

Hann Tucker Associates (Consultants in acoustics, noise and vibration) were appointed by Islington Square Ltd (Cain/Sager) to undertake baseline sound monitoring of the Square in a typical weekend in March (17th March-20th March 2023). The survey was undertaken by Greg Moore, BA(Hons).

Procedure

Fully automated environmental noise monitoring was undertaken from approximately 12:30 hours on Friday 17 March to 11:30 hours on Monday 20 March 2023.

During the periods we were on site the wind conditions were light and from approximately a southerly direction. The sky was generally overcast. We understand that generally throughout the survey period the weather conditions were similar. These conditions are considered suitable for obtaining representative measurement results.

Measurements were taken continuously of the A-weighted (dBA) L90, Leq and Lmax sound pressure levels over 15-minute periods.

This in the public domain as part of a planning application made by the Islington Square Developer earlier this year

Their conclusion of baseline averages are:

48dBA daytime (0.700-23.00) and 45dBA (23.00-07.00)

Independent advice from Sound Consultants state that these baseline levels clearly describe a quiet baseline norm of back gardens/courtyards, rear of buildings

When Licensing and Noise abatement Officers consider whether or not amplified sound is permitted in the Square this baseline is important.

Thank you for your kind consideration of our objection.

Regards

Whitton, Daniel

From: [REDACTED]
Sent: 05 November 2023 20:32
To: Licensing
Cc: maria.castellanos
Subject: Objection to Daily Premises Licensing Hours at Islington Square Development

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Subject: Objection to Daily Premises Licensing Hours at Islington Square Development

Dear Licensing Service,

I am [REDACTED], residing at [REDACTED]. I am writing to object to the proposed daily licensing hours until 9 PM for the new premises at the Islington Square Development.

The persistent disturbances from existing late-night establishments along Upper Street have a noticeable impact on our community, often leading to instances of anti-social behaviour. Extending licensing hours every day of the week for a new outlet is likely to intensify these issues, particularly affecting evenings when residents seek peace and quiet.

Given that the neighbourhood is already navigating the challenges of increased commercial traffic, particularly on weekends, there is a valid concern that extended daily operations could further contribute to noise and disorder, detracting from the quality of life for local residents.

I trust the council will consider the potential for cumulative impact and the concerns of the community in evaluating this application.

Kind regards,

[REDACTED]

Whitton, Daniel

From: [REDACTED]
Sent: 17 November 2023 19:51
To: Licensing
Subject: OBJECTION TO LICENSING APPLICATION AT ISLINGTON SQUARE DEVELOPMENT (WK/230033763) FOR SALE OF ALCOHOL AND SHOWING OF FILMS
Attachments: IMG_2881.MOV
Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Sir / Madam,

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application: Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Objection: Prevention of public nuisance, prevention of children from harm, protection of children from harm

I am writing to object to this licensing application, noting in particular that granting this license would result in a failure to meet the following licensing objectives:

- The prevention of public nuisance (as an illustration, I attach a video from inside a flat facing the square on the evening of an event on 17 November with windows closed – please note the highly disruptive noise)
- The prevention of crime and disorder
- The protection of children from harm

I provide more detail with regards to each of these objectives further down this email.

In addition, there is a strong argument to suggest that granting this licence (ie. a daily licence to show outdoor films and sell alcohol 10:00 – 21:00) would constitute a change of use for the square given the noise impact of amplified films and outdoor gatherings (noting the details of nature of the single aspect flats facing the square described below). We would consequently suggest that this license application should be accompanied by a planning application and would be grateful if appropriate enquiries the Development Management department of Islington Council.

1. **The prevention of public nuisance**

The applicant is applying for a licence to sell alcohol and show films in the middle of a square that is surrounded by c. 260 residential premises, of which c. 55 directly face the square. The applicant is applying to do this 7 days a week, almost all day and well into the evening

This has potential to cause significant nuisance for the premises facing the square, noting:

- a. The architecture of the square means amplified sound from outdoor film screenings would be trapped by its canyon type buildings and bounce into peoples' homes. The noise would not be dissipated or separated from residential buildings as is the case in other squares that conduct such activities; and

- b. The premises were not designed to withstand activities in the square which feature amplified music and involve large groups or gatherings of people. In particular, the premises in question are almost exclusively single aspect flats featuring sash windows opening directly onto the square below, with no comfort cooling or air circulation system. Even with windows closed, the sound levels from outdoor film screenings and large gatherings are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings. Over the summer, outdoor Wimbledon screenings resulted in excessive sound levels within the flats which were a considerable nuisance and are detrimental to health if sustained over an extended period of time

As an illustration I attach a video of the highly disruptive noise caused by an outdoor event in the square on Friday 17 November. The video is taken from my flat which faces the square – please note the closed windows and that all rooms in the flat face the square.

The applicant – who is also the developer of the square and its freeholder – built these single aspect flats with insufficient acoustic insulation and ventilation that would have been required, if they had intended residents to live in the vicinity of outdoor events. This means the outdoor films, amplified events and other outdoor gatherings are likely to create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

Further, the applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant’s own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:”

Table 2.1 British Standard BS8233:2014 internal noise level criteria

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:”

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Dining room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

“This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed ‘anonymous noise’...”

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Finally, noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

2. **The prevention of crime and disorder**

Sale of alcohol at all day and well into the evening in the middle of a square may well give rise to disorder in the form of inebriated gatherings, excessive noise, excessive litter, etc, from crowds gathering for outdoor events. The square has already seen a significant increase in mess and litter due to the introduction of a weekend outdoor market.

3. **The protection of children from harm**

As noted above, extended exposure to the nuisance of outdoor screenings and gatherings (potentially 7 days a week and all day) may well have a detrimental impact on the (mental) health of children, thereby causing them harm.

Please confirm receipt of this correspondence.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Whitton, Daniel

From: [REDACTED]
Sent: 17 November 2023 21:17
To: Licensing
Subject: OBJECTION TO LICENSING APPLICATION AT ISLINGTON SQUARE DEVELOPMENT (WK/230033763) FOR SALE OF ALCOHOL AND SHOWING OF FILMS
Attachments: Video.mov
Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Sir / Madam,

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application: Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Objection: Prevention of public nuisance, prevention of children from harm, protection of children from harm

I am writing to object to this licensing application, noting in particular that granting this license would result in a failure to meet the following licensing objectives:

- The prevention of public nuisance (as an illustration, I attach a video from inside a flat facing the square on the evening of an event on 17 November with windows closed – please note the highly disruptive noise)
- The prevention of crime and disorder
- The protection of children from harm

In addition, there is a strong argument to suggest that granting this licence (ie. a daily licence to show outdoor films and sell alcohol 10:00 – 21:00) would constitute a change of use for the square given the noise impact of amplified films and outdoor gatherings (noting the details of nature of the single aspect flats facing the square described below). We would consequently suggest that this license application should be accompanied by a planning application and would be grateful if appropriate enquiries the Development Management department of Islington Council

The prevention of public nuisance

The applicant is applying for a licence to sell alcohol and show films in the middle of a square that is surrounded by c. 260 residential premises, of which c. 55 directly face the square. For those flats the square is the only source of ventilation, which means

noise would be even worse if during certain parts of the day. The flats were not designed to face a noisy busy area.

The design of the square means that noise gets trapped in the square. In addition to music and screenings, crowds, in particular after alcohol consumption, would increase this noise.

This has been evidenced by an event held at the square on 17 November. The video attached shows the levels of noise at one of the flats facing the square with windows closed. It would be unacceptable for residents, their rest, their right to a quiet enjoyment of their properties and their mental health, if events like this became regular. Residents were sold the properties in a quiet residential area.

Similarly, in the summer, when Wimbledon games were shown in screens in the square, noise levels in the square were beyond acceptable levels.

The applicant is applying to do this 7 days a week, almost all day and well into the evening

This means the outdoor films, amplified events and other outdoor gatherings are likely to create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The prevention of crime and disorder

Sale of alcohol at all day and well into the evening in the middle of a square may well give rise to disorder in the form of inebriated gatherings, excessive noise, excessive litter, etc, from crowds gathering for outdoor events. The square has already seen a significant increase in mess and litter due to the introduction of a weekend outdoor market.

The protection of children from harm

As noted above, extended exposure to the nuisance of outdoor screenings and gatherings (potentially 7 days a week and all day) may well have a detrimental impact on the (mental) health of children, thereby causing them harm. Equally, noise could impact their rest even with windows closed. And in particular in times of high temperatures, when windows have to stay open.

Please confirm receipt of this correspondence.

Kind regards

[Redacted signature]

Whitton, Daniel

From: [REDACTED]
Sent: 16 November 2023 16:33
To: Licensing
Subject: Licensing Objection: Islington Square

Follow Up Flag: Follow up
Flag Status: Flagged

[External]

Hi,

My name is [REDACTED], I am a resident and owner at [REDACTED]

I would like to object to the proposal to have film screening and alcohol consumption and sales from 11:00-21:00 Monday through Sundays in Islington Square.

This is a residence space and we pay high service charges to maintain the area including cleaning, decoration and security. The alcohol sales and consumption is my main issue, which would be permitted into the evening in this proposal. This is not fair to residents that would like to have a safe space for their families to enjoy along with the rest of the neighborhood. Cinema viewings are fine at reasonable hours, but I'm afraid it's not conducive for most residents that face the promenade that would be subject to the noise.

I would think better use of the space would be non intrusive activities that can be taken out during hours that do not disrupt the natural flow of the neighborhood and residents.

Thank you,
[REDACTED]

Whitton, Daniel

From: [REDACTED]
Sent: 11 November 2023 15:14
To: Licensing
Subject: Licensing service ref wk/230033863-objection

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00
 Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

OBJECT : Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.

To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:"

Table 2.1 British Standard BS8233:2014 internal noise level criteria

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate."

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise- generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: “Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply:

‘Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.’”

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people’s homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents’ (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

[REDACTED]

Whitton, Daniel

From: [REDACTED]
Sent: 17 November 2023 09:24
To: Licensing
Subject: Licence Application - Islington Square Development, Street Record, Esther Anne Place, London

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Licensing Service

Licence Application - Islington Square Development, Street Record, Esther Anne Place, London

We are residents of Esther Anne Place and wish to strongly object to the above licensing application.

We believe that a film screen in the square will create harm to people's health with amplified noise and sound pollution intruding into our homes. Our homes have not been designed to withstand such noise and light pollution. Throughout the summer months many of us would face the choice of closed windows or open windows/ventilation with unacceptable noise intrusion.

We are referring the Licensing service to Islington Council Licensing Policy 22 which states that "the Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses in the vicinity of licensed premises". The proposal by its nature and location is likely to raise a potential for a number of public nuisance issues including: amplified sound/speakers, noise from patrons and moving of furniture, odour, smells and smoke, light pollution, litter and waste, street fouling and urinating in public.

We believe that the space was designed with quiet controlled commercial activities in mind and as a result is surrounded by multiple single aspect flats and historic homes that have no additional noise mitigation. Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls. It is not considered that any appropriate restrictions could be imposed by The Licensing Authority to protect amenity of the residents in this instance.

In a broader context Islington Square already has 4 licensed restaurants, a licensed bar, and the Kings Head Theatre - also with licensed bars. We therefore believe that the Square has already reached the point alcohol saturation and no further alcohol licences should be granted.

[REDACTED]

DISCLAIMER

[REDACTED]

[REDACTED]

Whitton, Daniel

From: [REDACTED]
Sent: 12 November 2023 07:13
To: Licensing
Subject: Licensing Objection - Islington Square (8 Esther Anne, Flat 114)

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Islington Council,

I am [REDACTED], flat owner at [REDACTED]
I am sending you this email for objecting the below application:

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Objection Reasoning: Prevention of public nuisance, public safety, protection of children from harm

May I please ask for a confirmation email as a proof of receipt?

Please find the detailed reasoning of the objection below:

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.

To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by

Islington Council because of noise nuisance and crowd management impacts) the applicant’s own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:”

Table 2.1 British Standard BS8233:2014 internal noise level criteria

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:”

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Dining room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

“This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed ‘anonymous noise’...”

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: “Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply:

‘Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.’

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people’s homes would be compliant with British Standard when they put this condition in place. This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council. We urge you to avoid public nuisance, protect residents’ (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Whitton, Daniel

From: [REDACTED]
Sent: 12 November 2023 21:54
To: Licensing
Subject: Objection for Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Follow Up Flag: Follow up
Flag Status: Flagged

[External]

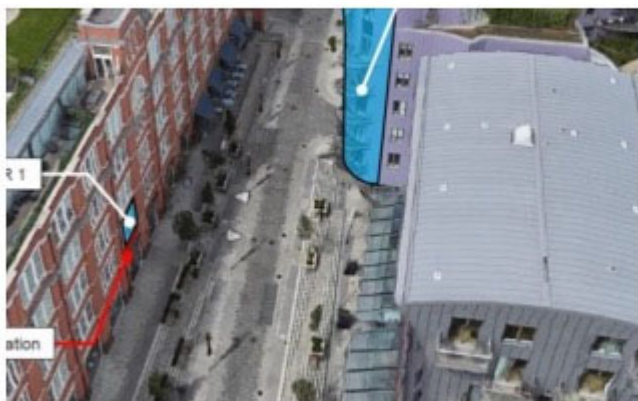
Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Object: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant’s own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:”

Table 2.1 British Standard BS8233:2014 internal noise level criteria

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:”

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Ding room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

“This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed ‘anonymous noise’...”

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land

uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: *“Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply: ‘Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.’”* Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people’s homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents’ (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Would appreciate it if you could send a confirmation email to prove receipt.

Sincerely,

[Redacted signature]

Whitton, Daniel

From: [REDACTED]
Sent: 08 November 2023 18:55
To: Licensing
Cc: Heather Smith
Subject: Objection: Flat 314, 8 ESTHER ANNE PLACE. Ref WK/230033763

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Sir/Madam,

Objection raised by [REDACTED]

By return, please confirm receipt of this email.

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Object: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



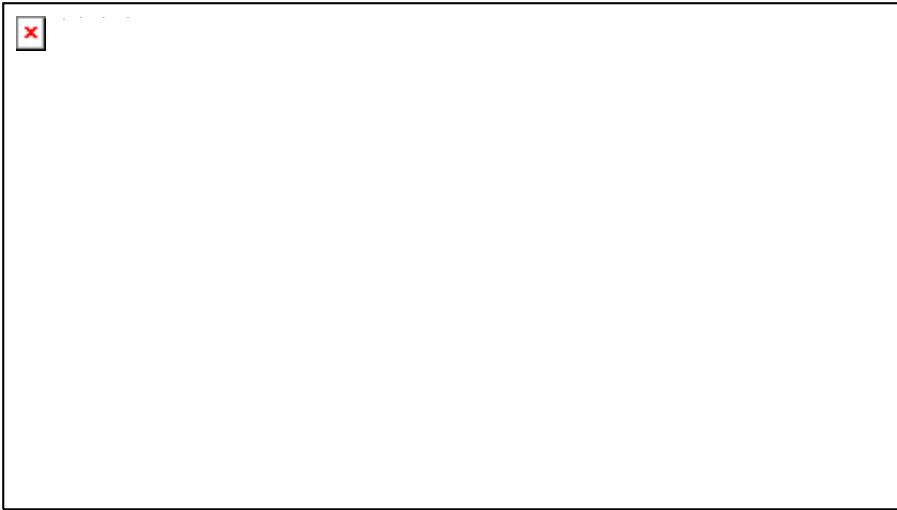
To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:"

Table 2.1 British Standard BS8233:2014 internal noise level criteria



Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise- generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: *“Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply:*

‘Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.’”

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people’s homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents’ (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Best

[Redacted signature]

[Redacted signature]

Whitton, Daniel

From: [REDACTED]
Sent: 16 November 2023 17:17
To: Licensing
Subject: WK/230033763 LICENSING APPLICATION

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Sirs

I write to object to the above mentioned planning application for the sale of alcohol and showing of films Monday to Sunday. This would impact negatively on the dwellings situated in Islington Square as their only way of ventilation is by means of windows opening directly onto the square. The noise level would be over the acceptable limits as specified in the British Standard BS8233 of 2014. Islington Square was designed to be a quiet residential neighbourhood and this would totally change the nature of the square.

I would urge Islington Council to reject this application as, should it go forward, all the residents of Islington Square would see their lives completely changed from being peaceful to having a lot of noise under their own windows. Furthermore, the extended use of outdoor alcohol would result in people being rowdy and throwing empty bottles / cans on the street and would therefore make a lot of mess again under our windows.

I do hope you will take these objections seriously and not allow the developer to go ahead.

Yours faithfully

[REDACTED]

23 November 2023

Dear Sir/Madam

Premises Licence Application New: Islington Square Development, Street Record, Esther Anne Place, Islington, London, Ref WK/230033763

The sale of alcohol which may be consumed on or off the premises, showing of Films, Opening Hours Monday- Sunday 10.00 - 21.00

We refer to the letter submitted on behalf of the Moon Street and Studd Street Residents' Association today (23/11/23).

We rely on that letter **in full** and do not repeat its contents.

We only wish to add that due to the proximity of our property to the Islington Square development, we expect to be significantly impacted by the proposals. Our house is [REDACTED], which is [REDACTED]

Licensing decisions should respect the exceptional nature of the building's location, given that the noise created by customers leaving the premises late at night will have a detrimental impact on the amenity of residents in the area, particularly those living in the immediate vicinity.

There should be no access or egress for customers of this unit via the Studd Street entrance to the site after 20.00 (by way of recognition of the adverse impact on those living close by). The Upper Street gateways are the appropriate means of entry and exit; not the residential streets.

Yours faithfully

[REDACTED]

Dear Licensing, Planning team, and Environmental Protection

We are writing as the Almeida Street Residents Association to object to the latest licensing application for Islington Square put forward by Sager to Islington Council.

Sager are applying for the following license:

Monday-Sunday

10.00-21.00

Film screening and alcohol sales and consumption in all areas of the Square

This license would enable them to have screenings and sell alcohol in the square every day of the week, every day of the year if they choose to. Potentially they could also apply in the future to extend the hours to later in the evening.

The mixed tenure residential nature of the Square which includes private, shared ownership and social rent homes along with our neighbouring residential/historic street – Almeida Street - has little acoustic insulation and was not designed to co-exist with amplified film screenings and large crowds gathering on a routine/permanent basis. The Square albeit mixed use was designed with quiet controlled commercial activities in mind, a complementary scheme to our neighbourhood road.

Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls. It is not considered that any appropriate restrictions could be imposed by The Licensing Authority to protect amenity of the residents in this instance.

We believe that a film screen in the square will create harm to people's health with amplified noise and sound pollution intruding into our homes. Our homes have not been designed to withstand such noise and light pollution. Throughout the summer months many of us would face the choice of closed windows or open windows/ventilation with unacceptable noise intrusion. This is not complementary

We have referred to Islington Council Licensing Policy 22 which states that:

"the Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses in the vicinity of licensed premises".

The proposal by its nature and location is likely to raise a potential for a number of public nuisance issues including: amplified sound/speakers, noise from patrons and moving of furniture, odour, smells and smoke, light pollution, litter and waste, street fouling and urinating in public.

The Square already has strict conditions placed on it to protect resident amenity and this licence would cause additional noise disturbance and fail the licensing objective for the prevention of public nuisance in the Square and on our neighbouring street.

We would very much appreciate the scrutiny of both the licensing and planning authorities to be applied to this alongside environmental protection and the noise abatement Officer. We understand that there have already been many resident objections to this application.

Ensuring that Licencing and Environmental Protection for Islington Council are aware of baseline context

Hann Tucker Associates (Consultants in acoustics, noise and vibration) were appointed by Islington Square Ltd (Cain/Sager) to undertake baseline sound monitoring of the Square in a typical weekend in March (17th March-20th March 2023). The survey was undertaken by Greg Moore, BA(Hons).

Procedure

Fully automated environmental noise monitoring was undertaken from approximately 12:30 hours on Friday 17 March to 11:30 hours on Monday 20 March 2023.

During the periods we were on site the wind conditions were light and from approximately a southerly direction. The sky was generally overcast. We understand that generally throughout the survey period the weather conditions were similar. These conditions are considered suitable for obtaining representative measurement results.

Measurements were taken continuously of the A-weighted (dBA) L90, Leq and Lmax sound pressure levels over 15-minute periods.

This in the public domain as part of a planning application made by the Islington Square Developer earlier this year

Their conclusion of baseline averages are:

48dBA daytime (0.700-23.00) and 45dBA (23.00-07.00)

Independent advice from Sound Consultants state that these baseline levels clearly describe a quiet baseline norm of back gardens/courtyards, rear of buildings

When Licensing and Noise abatement Officers consider whether or not amplified sound is permitted in the Square this baseline is important.

Thank you for your kind consideration of our objection.

Regards

Whitton, Daniel

From: [REDACTED]
Sent: 21 November 2023 22:33
To: Licensing
Cc: Planning; Envh, Commercial
Subject: Proposed objection
Attachments: proposed Almeida objection.docx

Follow Up Flag: Follow up
Flag Status: Flagged

[External]

Dear Islington Council et al,

I vehemently oppose this planning application. See attached letter.

[REDACTED]

[REDACTED]

Whitton, Daniel

From: myeaccount@islington.gov.uk
Sent: 08 November 2023 15:37
To: Licensing
Subject: We have received your request

Follow Up Flag: Follow up
Flag Status: Completed

**Reference number: 3613769**

Reference number:	3613769
--------------------------	---------

Form details

Form name:	Premises licence application - representation form
-------------------	--

Personal details

First name:	████████
Last name:	████████
Home address:	██████████ ██████████ ██████████
In what capacity are you making this submission?:	Resident
Telephone number:	██████████
Email address:	████████████████████
Premises name:	Islington Square Development

Full postal address of premises:	Esther Anne Place, London N1 1WL
---	-------------------------------------

Licensing objectives

Public nuisance:	<p>The applicant is the developer who created our neighbourhood square which is predominantly residential in nature with complementary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed with any form of screening from activities in the Square which would feature amplified music and involve large groups of people gathering. The outside screenings last summer resulted in sound levels within these flats which represented a nuisance and would be detrimental to health if sustained over an extended period of time. The developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for residents to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels</p>
-------------------------	---

exceed permitted levels within these homes. The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities. To explain the nature of these homes, which are mixed tenure (private, shared ownership and social rent: 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system in most flats (with the exception of rooftop apartments, below ground maisonettes and a few others). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square require residents in these flats to choose between internal noise levels or comfortable levels of ventilation/cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail

to comply with British Standard for the required internal noise level criteria expected in dwellings. The applicant has not attempted to monitor noise levels in these flats to determine the level of nuisance or impact on health (to both adults and children) who live above the Square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events. This application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content. Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for. The responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor

	<p>cinema does not offer such mitigation as soundproofing and therefore should be refused. Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people's homes would be compliant with British Standard when they put this condition in place. This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council. We urge you to avoid public nuisance, protect residents' (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.</p>
--	---

Anonymous identity

I wish my identity to be kept anonymous:	No
---	----

Supporting documents

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

08/11/2023

Rep 18

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Object: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square

Page 1

cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:"

Table 2.1 British Standard BS8233:2014 internal noise level criteria

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:"

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Dining room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

"This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed 'anonymous noise'..."

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate."

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

"The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion."

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

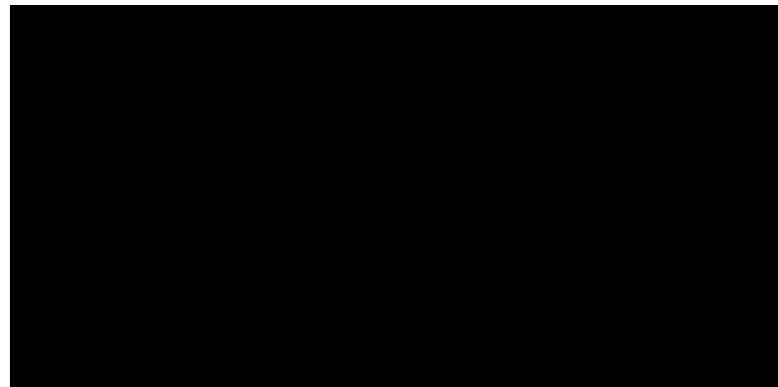
In addition the Hann Tucker Associates report in their refused planning application states the following: *"Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition."* This condition was discharged such that the following limits to tenants apply:

'Tenants will not be allowed to generate more than NR L_{max} 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR L_{max} 20dB.'

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people's homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents' (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.



PS = You would be very kind to confirm the receipt of this email. Thank you very much.

Dear Licensing, Planning team, and environmental Protection

We are writing as owner/occupants of [REDACTED] to object to the latest licensing application for Islington Square put forward by Sager to Islington Council

Sager are applying for the following license:

Mon-Sun

10;00-21:00

Film screening and alcohol sales and consumption in all areas of the Square

Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls.

We believe that a film screen in the square will create harm of people's health with amplified noise and sound pollution intruding into our homes. Our homes have not been designed to withstand such noise and light pollution. We must not be forced to keep windows closed particularly during summer months.

Referring to Licensing Policy 22 the authority is committed to preventing public nuisance by protecting the amenities of residents

This proposal is likely to raise a potential number of public nuisance issues such as .noise, odour, litter and waste, street fouling and urinating in public

Over the years of negotiating co existence with the Square we were always assured that our amenities were protected.

As the gates for the Square are closed at 11pm...all pedestrian traffic will exit onto Almeida Street.....this is not tolerable in a quiet residential street

Thank you for your consideration of our strong opposition

[REDACTED]

21 Nov 2023

Objection from [REDACTED]

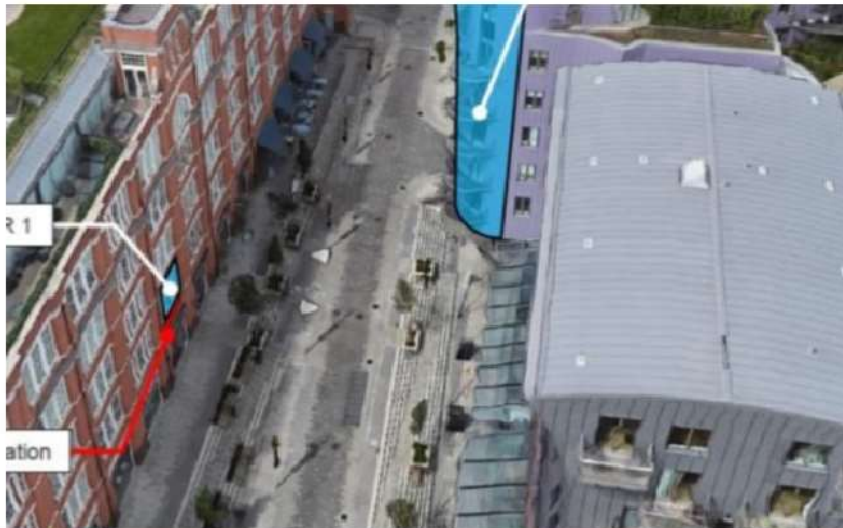
Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Object: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with

the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant’s own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:”

Table 2.1 British Standard BS8233:2014 internal noise level criteria

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:”

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Ding room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

“This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed ‘anonymous noise’...”

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: *“Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply:*

‘Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.’”

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people’s homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents’ (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Kind regards,

A large black rectangular redaction box covering the signature of the sender.

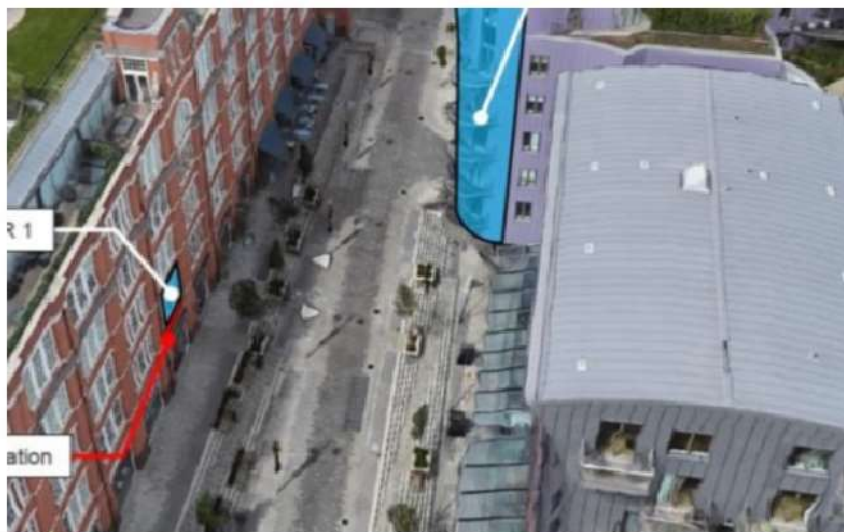
Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

OBJECT : Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square

cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant’s own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:”

Table 2.1 British Standard BS8233:2014 internal noise level criteria

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:”

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Dining room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

“This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed ‘anonymous noise’...”

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

Whitton, Daniel

From: [REDACTED]
Sent: 09 November 2023 10:07
To: Licensing
Subject: New license application islington square film screening and alcohol sales

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Licensing team

I would like to add further comments regarding the licensing application for Islington Square
Monday-Sunday
10.00-21.00
Film screening and alcohol sales and consumption

I would like to suggest that in effect the permanent license for the showing of films could constitute a change of use of the Square.

That this could create harm to people's health with noise and sound pollution intruding into their homes which have not been designed to withstand such noise and light pollution.

That this noise and sound pollution into our homes could constitute a statutory public nuisance.

Due to these extremely important impacts I would like to question whether this should be dealt with via a planning application. The screening of films changes the square from a complimentary use (coexisting with the mostly residential neighbourhood) to a use which is potentially very noisy and harm resident's' environment.

Please confirm receipt of this correspondence

Regards

[REDACTED]

Sent from [Outlook for iOS](#)

Whitton, Daniel

From: [REDACTED]
Sent: 23 November 2023 16:18
To: Licensing
Subject: Reference Islington Square Application

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Licensing team,

Reference:
Licence application for Islington Square
Alcohol and film screening licence application

Further to previous correspondence I would like to highlight the following points:

Licensing Policy 1

The planning consent for for a premise determines its use and the hours of operation. You have a duty to avoid a conflict

Your advice under policy 1 is that they have lawful planning status before they make an application.

Clearly they do not have this lawful planning status given that the planning status for the Square is for a market P2021/1635/FUL which has very clear conditions to safeguard residential amenity.

The filming licence would be detrimental to neighbouring residential amenity and therefore fail the licensing objective for the prevention of public nuisance.

You have a statutory duty to avoid a public nuisance in the first instance

1. The Square is not a venue. It is a space which is surrounded by residential dwellings which are not suitable to withstand noisy events. The Square was always intended to be complimentary to the residential dwellings.
2. Residents urge the council to be proactive in protecting the residential amenity of the community
3. Normal sound levels within the Square have been confirmed by the Estate Management in a baseline study (see the Hann Tucker Associates readings sent in my prior correspondence). The Square is confirmed by their own noise consultants as quiet normally.
4. The properties immediately overlooking the Square were developed by the applicant/superior landlord, most (if not all) are single aspect and all windows/rooms including bedrooms overlook the square. They have not been built to standards which have acoustic insulation.
5. An event held on November 17th which played amplified loud music caused multiple complaints to the Square's security team who refused (instructions from the Estate management) to reduce the amplification. See reference 3618465. Unfortunately the officer did not take readings of noise levels inside the flats. Fortunately a resident did which I believe you have video footage provided.
6. Complaints from residents to previous screenings last year were provided to the Estate management, we now know these were not acted upon.

7. Noise readings within a resident's flat with windows closed reached between 67-73 decibels for a period of 3 hours during the evening of November 17th . This is too loud and constitutes a public nuisance. This is also winter when we have our windows closed
8. The flats in 8EAP (apart from a few of the roof top ones) do not have comfort cooling. In summer months the sound from amplified events whether movies/piped music or live events would be unbearable and exceed legal limits. Many residents would face a choice, windows closed/no ventilation and over heat or windows open and sound levels which are unbearable.
9. There is no location in the Square where a film screen could be placed which would be an acceptable distance away from homes to avoid creating a public nuisance.
10. There is no mitigation which could be proposed by the applicant; given that due to deregulation an alcohol licence for the Square would by default allow for amplified music. Again causing public nuisance.

We respectfully urge Islington Council licensing team to uphold your licensing policy and protect residents of Islington Square and Almeida Street from sound and noise levels which (by virtue of the canion like geography of the Square and close proximity) boom straight into residents' homes. The Square is a mixed community with residents and now a market it is not an entertainment venue and was not designed as such.

Kind Regards



Whitton, Daniel

From: [REDACTED]
Sent: 20 November 2023 14:20
To: Licensing
Subject: Ref: WK/230033763 licensing application: Islington Square Development, Street, record, Esther Anne Place

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Licensing Authority,

I am a resident at Esther Anne Place and write to object to the above licensing application.

This is a predominantly residential area with homes directly overlooking and adjacent to mixed use units on ground level. The homes are not designed to withstand activities in the square which feature amplified sound and involve large groups of people gathering. The outside screening this past summer resulted in sound levels within our flats which represented a nuisance and are detrimental to health. Such would be quite unmanageable on a regular basis going into the evening.

I believe that the permanent license for the showing of films and the consumption of alcohol could constitute a change of use of the Square given the noise impacts of amplified films into our homes, such would create harm to people's health with noise and sound pollution intruding into our homes which have not been designed to withstand such noise and light pollution. Most of the homes overlooking the square are single aspect with all rooms facing into the square, there is no mechanical ventilation/comfort cooling so throughout summer months we would face the choice of closed windows and noise intrusion or ventilation with open windows but even more significant noise intrusion.

Please acknowledge this e-mail

Kind regards

[REDACTED]

Whitton, Daniel

From: [REDACTED]
Sent: 19 November 2023 17:00
To: Licensing
Cc: [REDACTED]
Subject: Islington Square

Follow Up Flag: Follow up
Flag Status: Completed

[External]

I wish to object to the application for a licence to allow film screening and alcohol sales and consumption over all areas of Islington Square between 10am and 9pm, throughout the week and throughout the year. If allowed, this would cause serious nuisance to many of the residents of this otherwise quiet residential development. The close proximity of the buildings either side of the central mall means that sound is reflected back and forth. The flats have not been designed to provide any form of sound insulation and, with windows open in summer the effect would be that of having the source almost inside the flat, with little or no attenuation. The quality of life would be abysmal. Please reject this application. Thank you.

[REDACTED]

[REDACTED]

[REDACTED]

Whitton, Daniel

From: [REDACTED]
Sent: 12 November 2023 16:16
To: Licensing
Subject: Licensing objection: islington Square

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763
Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Dear Licensing Team,

I am writing to object to the licensing application as quoted above.

I suggest that in effect the permanent license for the showing of films could constitute a change of use of Islington Square given the noise impacts of amplified films into residents' homes.

That this will create harm to people's health with noise and sound pollution intruding into homes which have not been designed to withstand such noise and light pollution. Most of the homes overlooking the square are single aspect with all rooms facing into the square, there is no mechanical ventilation/comfort cooling so throughout summer months residents would face the choice of closed windows and noise intrusion or ventilation with open windows but even more significant noise intrusion. The unchecked noise intrusion into these homes and those heritage homes of Almeida Street and Moon Street could constitute a statutory public nuisance and exceed the levels detailed by British Standards.

Due to these extremely important impacts I question whether this should be dealt with via a planning application. The screening of films changes the Square from a complimentary use (coexisting with the mostly residential neighbourhood) to a use which will be very noisy and harm the residents' environment.

Given the nature of the activities described, I would expect to see a planning application to accompany this license application. The proposal entails change of use of land as well as operational development, which fall within the statutory definition of 'development under Section 55 of the Town and Country Planning Act 1990' and as such requires planning permission. I would be grateful if appropriate enquiries could be made with Development Management department of Islington Council.

I have referred to Islington Council

Licensing Policy 22 which states that 'the Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses in the vicinity of licensed premises'. The proposal by its nature and location is likely to raise a potential for a number of public nuisance issues including: amplified sound/speakers, noise from patrons and moving of furniture, odour, smells and smoke, light pollution, litter and waste, street fouling and urinating in public.

The space was designed with quiet controlled activities in mind and as a result is surrounded by multiple single aspect flats that have no additional noise mitigation. Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls. It is not considered that any appropriate restrictions could be imposed by The Licensing Authority to protect amenity of the residents in this instance.

I look forward to your comments. Thank you
and could you please confirm receipt of this email.

Kind regards,

[Redacted]

[Redacted]

[Redacted]

Whitton, Daniel

From: [REDACTED]
Sent: 13 November 2023 11:50
To: Licensing
Subject: Licence Application WK/230033763 - Objection

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Sir / Madam,

I write to you to strongly object to the licensing application for Islington Square, reference number WK/230033763.

Details for premises licence applied for:

Monday-Sunday

10.00-21.00

Film screening and alcohol sales and consumption

I would like to suggest that in effect the permanent license for the showing of films could constitute a change of use of the Square given the noise impacts of amplified films into our homes.

The proposed will create harm to people's health with noise and sound pollution intruding into their homes which have not been designed to withstand such noise and light pollution. Most of the homes overlooking the square are single aspect with all rooms facing into the square, there is no mechanical ventilation/comfort cooling so throughout summer months we would face the choice of closed windows and noise intrusion or ventilation with open windows but even more significant noise intrusion. The unchecked noise intrusion into our home and those heritage homes of Almeida street and Moon street could constitute a statutory public nuisance and exceed the levels detailed by British standards.

Due to these extremely important impacts I would like to question whether this should be dealt with via a planning application. The screening of films changes the square from a complimentary use (coexisting with the mostly residential neighbourhood) to a use which will be very noisy and harm resident's' environment.

Given the nature of the activities described, I would expect to see a planning application to accompany this license application. The proposal entails change of use of land as well as operational development, which fall within the statutory definition of 'development under Section 55 of the Town and Country Planning Act 1990 and as such require planning permission. I would be grateful if appropriate enquiries could be made with Development Management department of Islington Council.

I have referred to Islington Council Licensing Policy 22 which states that "the Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses in the vicinity of licensed premises". The proposal by its nature and location is likely to raise a potential for a number of public nuisance issues including: amplified sound/speakers, noise from patrons and moving of furniture, odour, smells and smoke, light pollution, litter and waste, street fouling and urinating in public.

The space was designed with quiet controlled activities in mind and as a result is surrounded by multiple single aspect flats that have no additional noise mitigation. Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls. It is not considered that any appropriate restrictions could be imposed by The Licensing Authority to protect amenity of the residents in this instance.

I would greatly appreciate it if you could confirm receipt of this email.

Best wishes,

[Redacted signature]

[Redacted contact information]

Whitton, Daniel

From: [REDACTED]
Sent: 19 November 2023 10:02
To: Planning; Licensing
Cc: simon laborde
Subject: Noise Disturbance Islington Square 17.11.2023
Attachments: ISQ Sound Level.JPG

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Sir/Madam,

I write to you regarding a noise disturbance which occurred in Islington Square on Friday 17th November between the hours 17:00 - 20:00.

I write to express my absolute objection to the licence given to this event to take place.

Firstly, please see [video](#) attached representing the noise within my home, with all the windows closed.

I would like to be clear that we are supportive of community holiday season celebrations however this was a severe breach of the residents' 'beneficial use and enjoyment of the flat'. The amplification was excessive and intruded into the flats overlooking the square. Please see attached volume level detected within the flats overlooking the square with all windows closed.

I followed the advice on the government website and emailed the landlord and the estate team kindly requesting the noise to be reduced and did not receive any response. I still have not received an acknowledgement to the email.

I subsequently filed a complaint via the council's anti-social behaviour webpage. Please note my reference number 3618465. They kindly sent an officer to review the event however they deemed it appropriate because the security team from the square told them a licence had been secured. However, they did not test sound decibel levels within the flats to support this.

It is clear that the organisers of the event did not run any prior testing in the flats overlooking the square or during to monitor the sound decibel levels.

The behaviour from the landlords and estate team is a clear demonstration of their disregard for residents' rights to enjoy their homes who live in the square.

This is a heavily residentially populated square with a mixture of private and social housing with young families, the elderly and working professionals living here. The majority of the flats overlooking the square are single aspect. There is simply no escape from the noise in the square within the homes.

Your acknowledgement and support will be greatly appreciated. I write on behalf of many of the residents living in the square who will write separately and I am happy to provide content (videos, volume decibel testing) from the evening if necessary.

Best wishes,
[REDACTED]



Whitton, Daniel

From: [REDACTED]
Sent: 20 November 2023 12:14
To: Licensing; Envh, Commercial
Subject: Licensing Objection - Islington Square

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Licensing Team,

We are the leaseholders of [REDACTED]. We would like to object to the following licensing application for Islington Square.

Monday - Sunday, 10.00 - 21.00
Film screening and alcohol sales and consumption

Our flat looks out directly on the open area of the Square which is proposed for this application. I would like to suggest that, in effect, the permanent license for the showing of films constitutes a change of use of the Square given the noise impacts of amplified films and other similar events into our homes.

Most of the homes overlooking the Square, including our own, are single aspect with all rooms facing into the Square. There is no mechanical ventilation/comfort cooling so throughout summer months we would face the choice of closed windows and noise intrusion or ventilation with open windows but with even more significant noise intrusion. Recent events held in the Square have demonstrated that amplified sound clearly creates noise pollution intruding into our homes which have not been designed to withstand such noise and light pollution, constituting a risk to the health of residents. Unchecked noise intrusion into our homes, and the nearby heritage homes of Almeida Street and Moon Street, will likely constitute a statutory public nuisance and exceed the levels detailed by British standards.

Due to these extremely important impacts, I would like to question whether this should be dealt with via a planning application. The screening of films changes the square from a complimentary use (coexisting with the mostly residential neighbourhood) to a use which will be very noisy and harm resident's' environment.

Given the nature of the activities described, I would expect to see a planning application to accompany this license application. The proposal entails change of use of land as well as operational development, which fall within the statutory definition of 'development under Section 55 of the Town and Country Planning Act 1990 and as such require planning permission. I would be grateful if appropriate enquiries could be made with the Development Management department of Islington Council.

I refer to Islington Council Licensing Policy 22 which states that "the Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses in the vicinity of licensed premises". The proposal by its nature and location is likely to raise a

potential for a number of public nuisance issues including: amplified sound/speakers, noise from patrons and moving of furniture, odour, smells and smoke, light pollution, litter and waste, street fouling and urinating in public.

The Islington Square space was designed with quiet controlled activities in mind and as a result is surrounded by multiple single aspect flats that have no additional noise mitigation. Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls. It is not considered that any appropriate restrictions could be imposed by The Licensing Authority to protect the amenity of the residents in this instance.

Please confirm receipt of this correspondence.

Best regards,

A solid black rectangular redaction box covering the signature area.

Whitton, Daniel

From: [REDACTED]
Sent: 12 November 2023 22:35
To: Licensing
Subject: Objection for Islington Square Development, Street Record, Esther Anne Place
Reference: WK/230033763

Follow Up Flag: Follow up
Flag Status: Completed

[External]

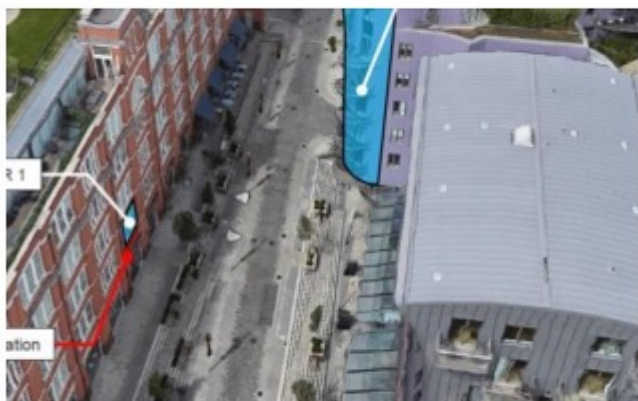
Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Object: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:"

Table 2.1 British Standard BS8233:2014 internal noise level criteria

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:"

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Dining room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

"This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed 'anonymous noise'..."

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate."

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: *“Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply: ‘Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.’* Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people’s homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents’ (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Would appreciate it if you could send a confirmation email to prove receipt.

Sincerely,



Whitton, Daniel

From: [REDACTED]
Sent: 21 November 2023 17:52
To: Licensing
Subject: Re: Objection: Islington Square Development, [REDACTED]
Reference: WK/230033763 Licensing Application.

Follow Up Flag: Follow up
Flag Status: Flagged

[External]

To whom it may concern,

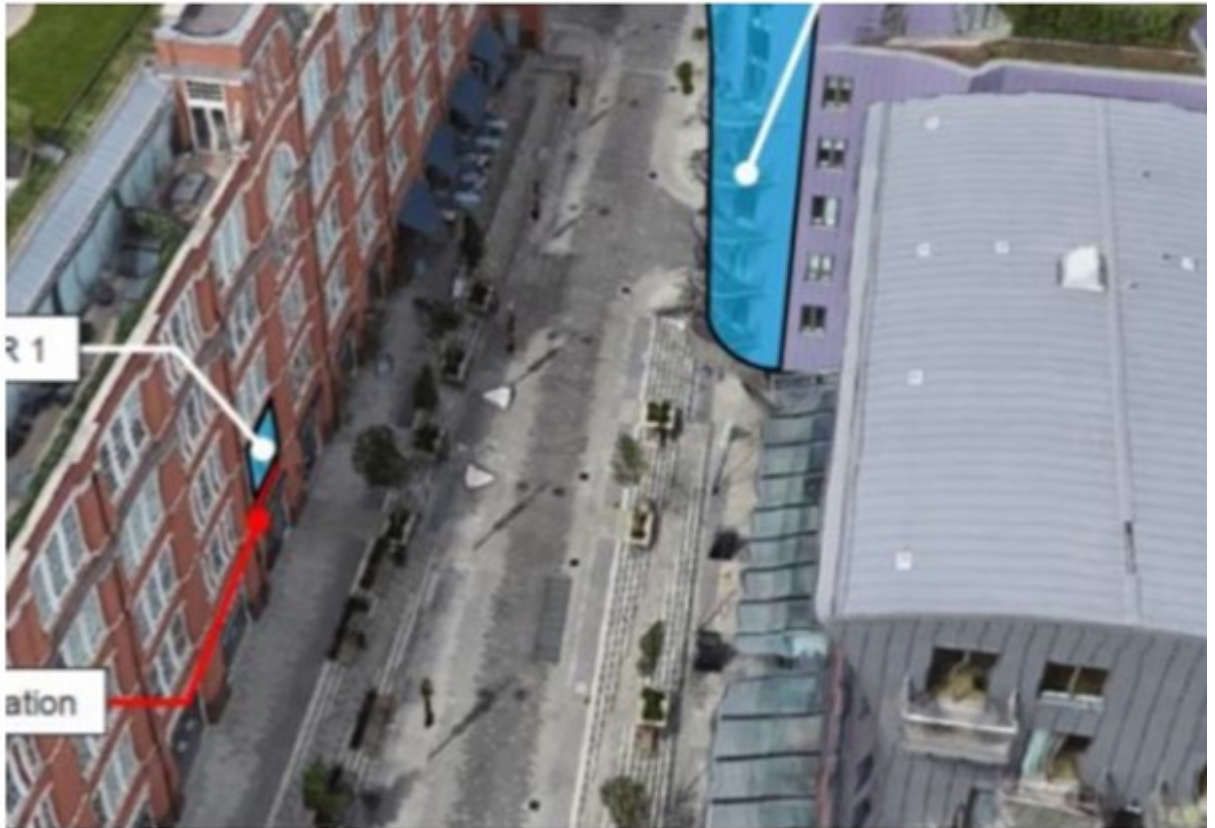
This is [REDACTED], I am a resident of Islington Square Development, [REDACTED]
[REDACTED]

I'm writing to you today to object the **Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00** Reference: WK/230033763.

Objection: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:”

Table 2.1 British Standard BS8233:2014 internal noise level criteria

“In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:”

Activity	Location	Desirable internal noise level
		07:00-23:00
Resting	Living rooms	35dB LAeq,16hr
Dining	Dining room/area	40dB LAeq,16hr
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

“This subclause applies to external noise as it affects the internal acoustic environment without a specific character, previously termed ‘anonymous noise’...”

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: *“Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply:*

'Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.'

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people's homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents' (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Can you please confirm receipt?

many thanks for you assistance,

Kind regards,



Whitton, Daniel

From: [REDACTED]
Sent: 09 November 2023 10:25
To: Licensing
Subject: Objection on Licensing Application - Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Follow Up Flag: Follow up
Flag Status: Completed

[External]

Dear Islington licensing service team

My name is [REDACTED], I am the homeowner and a resident of [REDACTED], located within Islington Square.

I strongly **object** to the licensing application of 'Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00' at Islington Square Development, Street Record, Esther Anne Place, London, for the following reasons. Please email me a **confirmation receipt** for my objection.

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Object: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:"

Table 2.1 British Standard BS8233:2014 internal noise level criteria

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:"

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Dining room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

"This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed 'anonymous noise'..."

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate."

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

"The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion."

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: *"Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition." This condition was discharged such that the following limits to tenants apply: 'Tenants will not be allowed to generate more than NR L_{max} 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR L_{max} 20dB.'"*

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people's homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents' (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Thank you, I look forward to hearing from you regarding my above concerns.



Whitton, Daniel

From: [REDACTED]
Sent: 12 November 2023 18:04
To: Licensing
Subject: Licensing objection Islington Square - serious concerns to be raised

Follow Up Flag: Follow up
Flag Status: Completed

[External]

RE: Licensing Objection Islington Square

Dear Licensing team,

I would like to object to the licensing application for Islington Square

" *Monday-Sunday*

10.00-21.00

Film screening and alcohol sales and consumption "

I would like to suggest that in effect the permanent license for the showing of films could constitute a change of use of the Square given the noise impacts of amplified films into our homes.

That this will create harm to people's health with noise and sound pollution intruding into their homes which have not been designed to withstand such noise and light pollution. Most of the homes overlooking the square are single aspect with all rooms facing into the square, there is no mechanical ventilation/comfort cooling so throughout summer months we would face the choice of closed windows and noise intrusion or ventilation with open windows but even more significant noise intrusion. The unchecked noise intrusion into our home and those heritage homes of Almeida street and Moon street could constitute a statutory public nuisance and exceed the levels detailed by British standards.

Due to these extremely important impacts I would like to question whether this should be dealt with via a planning application. The screening of films changes the square from a complimentary use (coexisting with the mostly residential neighbourhood) to a use which will be very noisy and harm resident's' environment.

Given the nature of the activities described, I would expect to see a planning application to accompany this license application. The proposal entails change of use of land as well as operational development, which fall within the statutory definition of 'development under Section 55 of the Town and Country Planning Act 1990 and as such require planning permission. I would be grateful if appropriate enquiries could be made with Development Management department of Islington Council.

I have referred to Islington Council Licensing Policy 22 which states that "the Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses

in the vicinity of licensed premises". The proposal by its nature and location is likely to raise a potential for a number of public nuisance issues including: amplified sound/speakers, noise from patrons and moving of furniture, odour, smells and smoke, light pollution, litter and waste, street fouling and urinating in public.

The space was designed with quiet controlled activities in mind and as a result is surrounded by multiple single aspect flats that have no additional noise mitigation. Due to the open air nature of the activities it will not be possible to provide any sound insulation or any other acoustic controls. It is not considered that any appropriate restrictions could be imposed by The Licensing Authority to protect amenity of the residents in this instance.

Please confirm receipt of this correspondence.

Kind Regards,

[Redacted signature block]

Whitton, Daniel

From: [REDACTED]
Sent: 08 November 2023 15:43
To: Licensing
Subject: Objection: Islington Square Development, [REDACTED]
Reference: WK/230033763 Licensing Application.

Follow Up Flag: Follow up
Flag Status: Completed

[External]

To whom it may concern,

This is [REDACTED], I'm a resident of Islington Square Development, [REDACTED]
[REDACTED]

I'm writing to you today to object the **Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00** Reference: WK/230033763

Objection: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:"

Table 2.1 British Standard BS8233:2014 internal noise level criteria

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not exceed the following guideline values:"

Activity	Location	Desirable internal ambient criteria	
		07:00-23:00	23:00-07:00
Resting	Living rooms	35dB LAeq,16hr	-
Dining	Dining room/area	40dB LAeq,16hr	-
Sleeping (Daytime resting)	Bedroom	35dB LAeq,16hr	30dB LAeq,8hr

Table 2.1 British Standard BS8233:2014 internal noise level criteria

It should be noted that BS8233:2014 Section 7.7.1 also states:

"This subclause applies to external noise as it affects the internal acoustic environment from sources without a specific character, previously termed 'anonymous noise'..."

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate."

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

"The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion."

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: *"Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition." This condition was discharged such that the following limits to tenants apply:*

'Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.'

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people's homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents' (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Can you please confirm receipt?

many thanks for your assistance,

Kind regards,

██████

Whitton, Daniel

From: [REDACTED]
Sent: 12 November 2023 18:19
To: Licensing
Subject: RE: Licensing Objection Islington Square - Objection to blanket Licensing Islington Square

Follow Up Flag: Follow up
Flag Status: Completed

[External]

RE: Licensing Objection Islington Square - Objection to blanket Licensing Islington Square

Dear Licensing team,

I would like to object to the licensing application for Islington Square

" *Monday-Sunday*

10.00-21.00

Film screening and alcohol sales and consumption "

Islington Square Development, Street Record, Esther Anne Place Reference: WK/230033763

Licensing Application. Sale of alcohol and showing of films Monday to Sunday 10.00-21.00

Object: Prevention of public nuisance, public safety, protection of children from harm

The applicant is the same developer who created our neighbourhood square which is predominantly residential in nature with complimentary mixed use at ground level. The homes that overlook directly on to Islington Square were not designed to withstand activities in the Square which feature amplified music and involve large groups of people gathering. The activity of outside screenings last summer resulted in sound levels within our flats which represent a nuisance and are detrimental to health if sustained over an extended period of time. This developer/applicant built single aspect flats, which have insufficient acoustic insulation and ventilation to meet the standards that would have been required if they had intended for us to live above open air cinema/amplified events. This application could create a common law nuisance and statutory nuisance covered by the Environmental Protection Act 1990 if amplified sound levels exceed permitted levels within our homes.

The architecture of the Square means that amplified sound from the outside cinema/film screening would be trapped by the canyon type buildings and bounce into peoples' homes. It is not dissipated or separated from residential buildings as is the case in other squares where they conduct such activities.



To explain the nature of our homes which are mixed tenure (private, shared ownership and social rent, 55 overlook the Square directly), they are mostly single aspect flats featuring sash windows opening directly onto the Square below, there is no comfort cooling or air circulation system (with the exception of rooftop apartments). Therefore, ventilation or cooling in warmer periods requires natural ventilation (i.e. openable windows). This means that significant noise levels in the Square cause us to choose between internal noise levels or comfortable levels of ventilation and cooling. More importantly even with windows closed the sound levels are highly intrusive and would fail to comply with British Standard for the required internal noise level criteria expected in dwellings.

The applicant has not attempted to monitor noise levels in our flats to determine the level of nuisance or impact on health (to both adults and children) who live above the square. In addition the residents of Almeida Street and Moon Street also live in heritage homes which afford little or no acoustic privacy from amplified cinema/screening events.

In a recent planning application by the developer to try to introduce a live music venue (which was refused by Islington Council because of noise nuisance and crowd management impacts) the applicant's own noise consultants Hann Tucker Associates identified British Standard BS8233:2014 internal noise level criteria to be targeted within dwellings:

"In general for steady external noise sources, it is desirable that internal ambient noise levels do not excel the following guideline values:"

Table 2.1 British Standard BS8233:2014 internal noise level criteria

“In general for steady external noise sources, it is desirable to exceed the following guideline values:”

Activity	Location
Resting	Living rooms
Dining	Dining room/area

Note Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate.”

Noise from this application not only comprises live/amplified music from an outside cinema screen but also customer noise from people drinking alcohol for excessive periods in the Square. This crowd noise is likely to be tonal, intermittent and feature strong low frequency content.

Whilst accepting that the licensing application is not a planning application we would expect your team to apply the principle of agent of change. The applicant is introducing a new use and noise disturbance that has not been measured by the applicant or mitigated for.

“The Agent of Change Principle places the responsibility for mitigating impacts from existing noise- generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly affected by the introduction of new noise sensitive uses. Regard should be given to noise-generating uses to avoid prejudicing their potential for intensification or expansion.”

Therefore, the responsibility for mitigating noise from the new use should be with the applicants not the surrounding residential receptors. Outdoor cinema does not offer such mitigation as soundproofing and therefore should be refused.

In addition the Hann Tucker Associates report in their refused planning application states the following: *“Commercial units within Block A of the Islington Square scheme are subject to a previously discharged Condition.” This condition was discharged such that the following limits to tenants apply: ‘Tenants will not be allowed to generate more than NR Lmax 65dB without additional mitigation measures with the internal noise levels from units within any habitable room not to be in excess of NR Lmax 20dB.’”*

Clearly Building control expected noise levels from commercial activities to have mitigation so that noise heard within people’s homes would be compliant with British Standard when they put this condition in place.

This blanket application totally disregards the right for people to live within their homes with a reasonable noise level and will lead to many reports of noise disturbance to the noise abatement team at Islington Council.

We urge you to avoid public nuisance, protect residents’ (including children) mental health and reject this blanket and permanent application for outdoor cinema/film screening and alcohol consumption.

Please confirm receipt of this correspondence.

Kind Regards,

[Redacted signature block]

Suggested conditions of approval consistent with the operating schedule

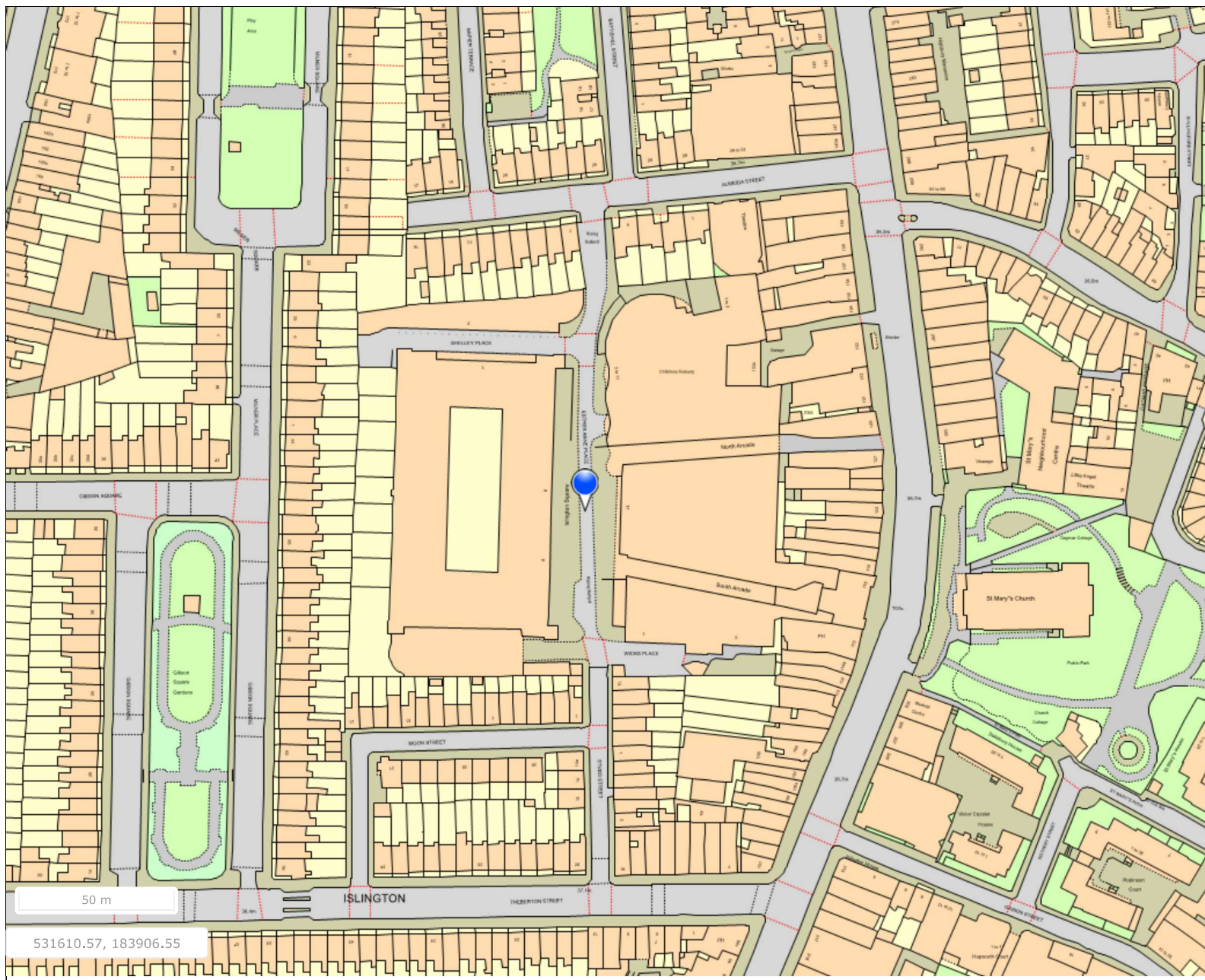
1. Event organisers and persons involved with the event shall be advised on appropriate crime prevention measures.
2. Details of the arrangements for the control of crowds and vehicles outside the premises shall be provided to the Metropolitan Police Service and the council, upon request.
3. CCTV is installed, operated, and maintained, to function all times. Said CCTV complies with the following criteria:
 - a. The licensee ensures that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
 - b. A record of these checks, showing the date and name of the person checking, is kept and made available to the police or other authorised officer on request;
 - c. The Police will be informed if the system will not be operating for longer than one day for any reason;
 - d. Cameras are positioned so as to show a close-up of the entrances to the footprint, to capture a clear, full length image of anyone entering;
 - e. The system is recorded in real time and recordings will be date and time stamped;
 - f. The system is specified so as to operate satisfactorily regardless of lighting conditions;
 - g. At least 1 member of staff on duty is able to operate the system sufficiently to allow Police or authorised Council officers to view footage on request;
 - h. Recordings are kept for a minimum of 31 days; and
 - i. Footage will be provided free of charge to the police or other authorised officers upon request (subject to the Data Protection Act 1998) within 24 hours of any request.
4. An incident log shall be maintained and made available upon request to the Police or an authorised officer which shall record:
 - a. Any and all allegations of crime and/or disorder reported on the premises' footprint;
 - b. Any and all complaints received by any party;
 - c. Any faults in the CCTV system;
 - d. Any visit by a relevant authority or emergency service;
 - e. Any and all ejections of patrons; and
 - f. Any and all seizures of drugs or offensive weapons.
5. In the event that crime or serious disorder is, or appears to have been, committed on the premises' footprint the management shall ensure that:
 - a. The Police and, where appropriate, the London Ambulance Service are called immediately; and
 - b. As far as is safe and reasonably practicable all measures shall be taken to apprehend any identified suspects pending the arrival of the Police.

6. The premises shall display and maintain appropriate signage advising customers:
 - a. The contact details for the responsible person in relation to any event operating under this premises licence; and
 - b. CCTV is in operation across the premises' footprint.
7. The premises licence holder shall ensure that the management and staff prevent the admission of and ensure the prompt departure from the premises' footprint of, any and all drunk and/or disorderly people or other people displaying signs of other substance use, without causing any disorder.
8. All staff shall be trained in dealing with persons who are incapacitated through the use of drugs or the combined effect of drugs and alcohol.
9. All SIA licensed security staff shall enter their full details in the premises daily register at the commencement of work. This shall record their full name, home address, contact telephone number, SIA registration number and the time they commenced and concluded working. If the SIA licensed security staff was supplied by an agency, details of that agency shall also be recorded including the name of the agency, the registered business address and a contact telephone number.
10. All SIA licensed security staff and other persons engaged at the premises for the purpose of supervising or controlling queues of customers and/or whilst engaged in the dispersal of customers shall wear high visibility clothing, i.e. jackets, vests or armbands.
11. Persons shall not be permitted to leave the premises with alcohol in an opened container.
12. All drinks promotions shall be risk-assessed to ensure the promotion is not irresponsible. Each risk-assessment shall consider the nature of the premises, the nature of the promotion including the size and duration of any discount and the type of customer potentially attracted by the promotion.
13. Drinks for consumption on the premises shall be served in containers made from non-glassware material, e.g. plastic, toughened glass/polycarbonate etc.
14. All drinks in glass bottles for consumption on the premises shall be decanted into non-glassware vessels prior to supplying it to the customer.
15. Event management shall encourage the flow of people throughout the estate when required and maintain clear pedestrian routes.
16. All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.
17. All activities shall undergo a risk assessment prior to the event.
18. Suitable and sufficient precautions shall be taken for securing the health and safety of persons in and about the premises.
19. Temporary structures shall be capable of withstanding any load or force to which they may be subjected and shall be erected by competent persons in accordance with safety guidelines.
20. No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

21. The premises has 24/7 security who are contactable at any time with a telephone.
22. First aid facilities shall be provided with adequate equipment and a sufficient number of trained first aiders.
23. Competent persons shall at all times supervise the events activities.
24. Firefighting appliances shall be inspected and serviced by a competent person within the last 12 months and shall be located around the premises in staffed areas.
25. Adequate access for emergency services vehicles shall be provided and maintained both to and within the premises. Such access shall only accommodate items that can be easily removed in the event of an emergency.
26. The premises licence holder shall produce an event management plan and full risk assessments in line with the requirements of the HSE event safety guide.
27. Should a temporary electrical system be required using generators and wiring systems all work shall be carried out by competent and experienced electrical contractors.
28. Electrical distribution positions, switchgear and wiring shall be kept out of reach of the public and guarded against unauthorised interference.
29. Relevant responsible authorities, local residents' associations and the Licensing Authority shall be advised of any event planned to operate under this licence at least one week prior to the scheduled event.
30. Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.
31. Suitable receptacles shall be provided for refuse.
32. Arrangements shall be made for the removal of refuse to secured storage areas.
33. Contact details of the event management and security team shall be displayed at a prominent location.
34. In the event of a noise/nuisance complaint substantiated by an authorised officer the premises licence holder shall take appropriate measures in order to prevent any recurrence.
35. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.
36. Between the hours of 22:30 and 08:00 no waste/glass bottles shall be moved or deposited outside.
37. There shall be no collections of refuse or deliveries of consumables between the hours of 22:30 and 08:00.
38. Children involved in any performance shall be kept under the supervision of responsible adults including transfer from the performance area to dressing rooms or anywhere else on the premises.
39. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

40. All occasions when persons have been refused service shall be recorded in the incident book. This record shall include:
- a. the date and time of the incident;
 - b. a description of the person seeking to buy alcohol;
 - c. the name of the staff member who refused the sale; and
 - d. the reason the sale was refused.

The record must be made available for inspection when requested by an officer of a Responsible Authority.



Title: LocalAreaMap

Printed By:
RO RO

Printed On:
07-12-2023

50 m
531610.57, 183906.55