



Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	4 th August 2015		St. Mary's

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION
BEYROUGH'S, 113 UPPER STREET, LONDON, N1 1QN**

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, Sundays to Thursdays from 11:00 until 23:00 and Fridays & Saturdays from 11:00 until 00:00.

2. Relevant Representations

Licensing Authority	No
Metropolitan Police	Yes
Noise	Yes
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No

London Fire Brigade	No
Local residents	Yes: Three local residents
Other bodies	No:

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premises location.

3.2 The application was initially submitted on 28th July 2014 but was suspended whilst awaiting information, proof of advertising, as required by the Licensing Act 2003. Proof of advertising was provided on 10th February 2015.

The application was further suspended due to issues related to Planning permission, as detailed below. The applicant then decided to proceed with the application but did not provide any additional information in relation to the current planning situation.

4. Planning Implications

4.1 The application concerns the supply of alcohol at a cafe/restaurant. Planning permission was refused for the change of use of the premise from D1 (art gallery & offices) to A3 on 30 January 2013 (ref. P2012/0089/FUL) and again on 23 April 2013 (ref. P2013/0567/FUL).

Based on the information currently available the proposed use is not authorised.

5 Recommendations

5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.

5.2 If the 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)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)
- iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

6 Conclusion and reasons for recommendations

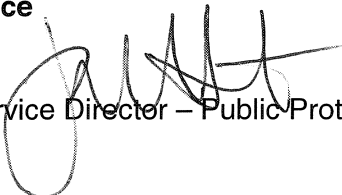
6.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions as appropriate to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy
Licensing Act 2003
Secretary of States Guidance

Final Report Clearance

Signed by


Service Director – Public Protection

24.7.15
Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

Wk/201454742 Appendix 1

[Insert name and address of relevant licensing authority and its reference number (optional).] LICENSING

Application for a premises licence to be granted under the Licensing Act 2003

28 JUL 2014

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

PUBLIC PROTECTION DIVISION
222 UPPER ST, LONDON N1 1XR

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We MIDTOWN WEST LIMITED

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference		Description	
113 UPPER STREET ISLINGTON		ISLINGTON COUNCIL LICENSING	
Date	28/7/14	Fee Paid	29.00 3157
Cash/Cheque Number	100262		
Receipt Number	0672910		
Received by	SPD		
Post town	LONDON	Postcode	N1 1QN

Telephone number at premises (if any)	020 7998 1853
Non-domestic rateable value of premises	£40,250

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name MIDTOWN WEST LIMITED
Address OSBORNE HOUSE 143-145 STANWELL ROAD ASHFORD MIDDLESEX TW15 3QN
Registered number (where applicable) 07811904
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 020 7998 1853
E-mail address (optional) MK@BIGPLUS.COM

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	8	082014

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
CAFE / RESTAURANT

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

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Wed						
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)			
Wed						
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Fri						
Sat						
Sun						

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 3)</p>		
Wed					
Thur			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</p>		
Fri					
Sat			<p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11:00	23:00			
Tue	11:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	23:00			
			Both	<input checked="" type="checkbox"/>	

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

Name MR CHADI KASSEM	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	<p>NONE</p> <hr/> <p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>NONE</p>
Mon	11:00	23:00	
Tue	11:00	23:00	
Wed	11:00	23:00	
Thur	11:00	23:00	
Fri	11:00	00:00	
Sat	11:00	00:00	
Sun	11:00	23:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

PRIMARY OFFERING AT THE PREMISES IS FOOD; IN A CAFE / RESTAURANT MODEL.
ALCOHOL IS OFFERED PURELY TO COMPLIMENT THE MEAL.
ALCOHOL CHOICE WILL BE LIMITED TO 8 WINES AND 2 BEERS.
NO DISCOUNTING ON OUR OFFERING WHATSOEVER
PERSON ALREADY INTOXICATED WILL NOT BE ALLOWED TO ENTER THE PREMISES.
REGULAR STAFF TRAINING TO ENSURE CUSTOMER SAFETY.
FREE WATER IS OFFERED AT ALL TIMES.
EPOS POP-UP FOR AGE VERIFICATION CHECK UPON SELECTION OF ALCOHOL.

b) The prevention of crime and disorder

NO DISCOUNTING ON ALCOHOL
NO GLASSES OR OPEN BOTTLES ALLOWED OFF THE PREMISES.
EXPERIENCE DPS APPOINTED TO MANAGE THE LOCATION.
WORKING CLOSELY WITH POLICE AND LOCAL INITIATIVES.
GREAT SELECTION OF FRESH JUICES TO PROMOTE HEALTHY CHOICES.
HIGH- RES CCTV IN PLACE

c) Public safety

STAFF TRAINING TO DEVELOP COMPLETE AWARENESS OF LICENSING LAWS.
DPS TO MANAGE THE PREMISES.
PROMOTE CLEARANCE OF EMPTY BOTTLES AND GLASSES FREQUENTLY.
REGULAR RISK ASSESSMENT AND MAINTENANCE CHECKS.
CLEAR SPILLAGE IMMEDIATELY AND ALWAYS KEEP TOILET AREA CLEAN.
NOT TO ALLOW CUSTOMERS IN THE BAR OR KITCHEN AREA.
SIXTY DAY CCTV RECORDING FACILITY

d) The prevention of public nuisance

ASK CUSTOMERS TO LEAVE QUIETLY AND RESPECT OUR NEIGHBOURS.
WORK WITH LOCAL TAXI FIRMS TO AVOID CROWDING OUTSIDE THE PREMISES.

e) The protection of children from harm

NOT TO ALLOW CHILDREN TO RUN ABOUT IN THE PREMISES.
 COLOURING MENU IS OFFERED TO KEEP CHILDREN OCCUPIED.
 STAFF TRAINING TO ENSURE NO UNDERAGE DRINK OCCURS.
 EPOS AGE ALERT WHEN ALCOHOL IS ORDERED.
 EPOS SAFETY ALERT WHEN ALCOHOL IS REORDERED.


Checklist:

		Please tick to indicate agreement
•	I have made or enclosed payment of the fee.	<input checked="" type="checkbox"/>
•	I have enclosed the plan of the premises.	<input checked="" type="checkbox"/>
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	<input checked="" type="checkbox"/>
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	<input checked="" type="checkbox"/>
•	I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
•	I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	21/07/2014
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) M KHAN 20-21 THE HIGH PARADE STREATHAM HIGH ROAD			
Post town	LONDON	Postcode	SW16 1EX
Telephone number (if any)	07869118911		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) MK@BIGPLUS.COM			

Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

**SCHEDULE 11
PART A**

London Borough of Islington
222 Upper Street, London N1 1XR

Consent of individual to being specified as premises supervisor

I CHADI KASSEM.....of
[full name of prospective premises supervisor]

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application forNEW PREMISES LICENCE
[type of application]

byMIDTOWN WEST LIMITED
[name of applicant]

relating to a premises licence

.....for
[number of existing licence, if any]

..... BEYROUTHS, 113 Upper Street, London N1 1QN
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by
..... MIDTOWN WEST LIMITED
[name of applicant]

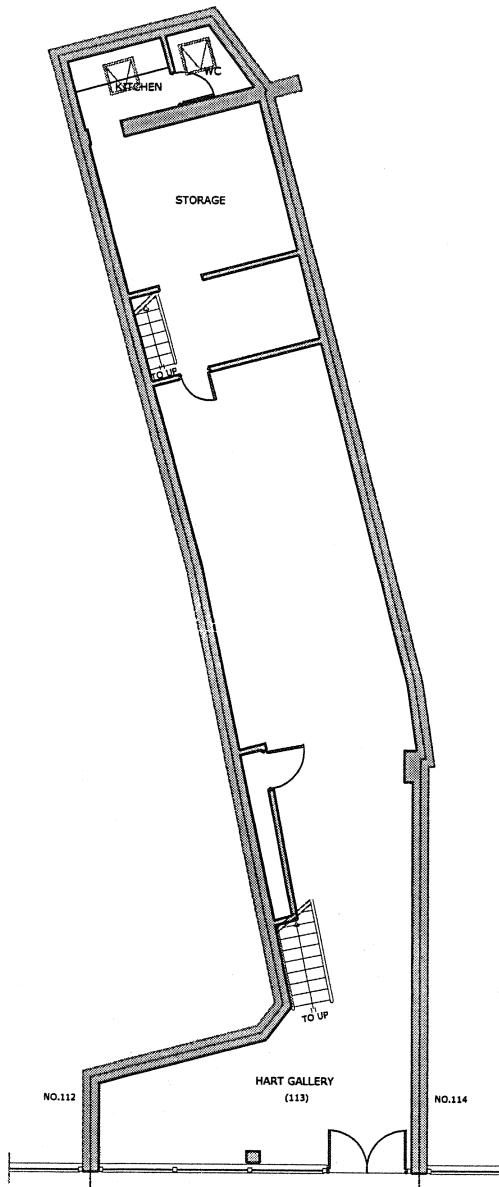
concerning the supply of alcohol atBEYROUTHS, 113 Upper Street, London N1 1QN
.....
[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for, currently hold a personal licence, details of which I set out below. Personal licence number
[insert personal licence number, if any]

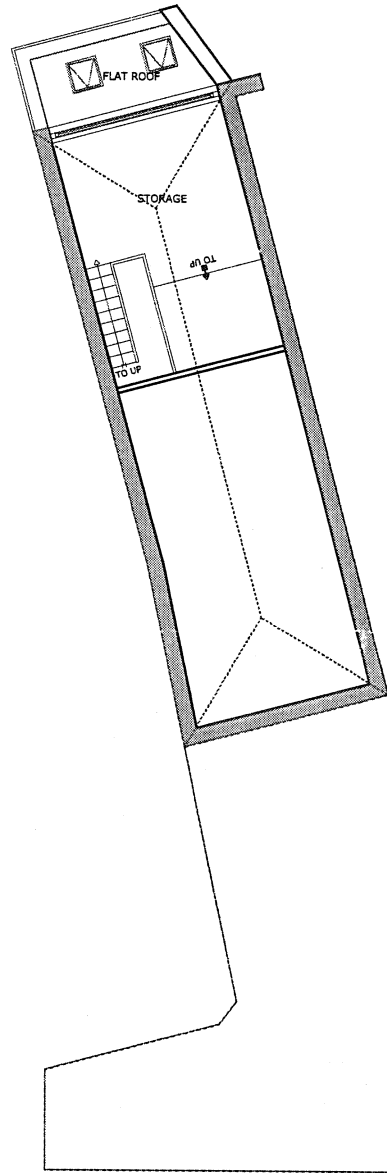
Personal licence issuing authority HERTSMERE BOROUGH COUNCIL
[insert name and address and telephone number of personal licence issuing authority, if any]
.....CIVIC OFFICES, ELSTREE WAY, BOREHAMWOOD, HERTS WD6 1WA, 02082072277

Signed Date..... 21 / 07 / 14

NameCHADI KASSEM.....



EXISTING GROUND FLOOR PLAN
SCALE:1/100



EXISTING UPPER GROUND
FLOOR LEVEL PLAN
SCALE:1/100

EXISTING GROUND FLOOR AREA :75.60 m2
EXISTING UPPER GROUND FLOOR AREA :16.25 m2

<p>Drawing Title</p> <p>EXISTING GROUND FLOOR & UPPER GROUND FLOOR LEVEL PLAN</p> <p>Scale 1:100</p>	<p>Client: HASAN DEMIREL</p> <p>Address: 113 UPPER STREET ISLINGTON LONDON N1 1QN</p> <p>ALL DIMENSIONS TO BE VERIFIED ON SITE</p>	<p>Revision: NOV. 2012</p> <p>Scale: 1:100 @ A3</p> <p>Drawing Number: 12.0377.01</p>	<p>CEMKA GROUP</p> <p>Unit 116, Lee Valley Technopark, Ashley Road, London N17 9LN</p> <p>Telephone: (020) 8801 8033</p> <p>Mobile: (078) 4241 0527 (078) 7999 9178</p> <p>E-Mail: cemkaeng@gmail.com</p> <p>Website: www.cemkagroup.co.uk</p>
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Appendix 2.
①

Your

Our Licensing/NI

Date: 21st August 2014



**METROPOLITAN POLICE
SERVICE
Police Licensing Unit
Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY**

Beyrouths
113 Upper Street
London
N1 1QN

Telephone: 020 7 527 2323
Facsimile:
Email:
Licensingpolice@Islington.gov.uk

Dear Sir

Re: Beyrouths 113 Upper Street N1 1QN - New Premises Licence Application

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as the venue is in the 'Angel Cumulative Impact Zone' and it is our belief that if granted the application would undermine the local authority Licensing Objectives; Prevention of Crime and Disorder and Public Nuisance.

During the year April 2013 to March 2014 there were 3499 reported crimes in the Angel Cumulative Impact Zone, which is the second highest in Islington. Within these crimes were about 240 assaults and there is a concern that without an experienced operator supported by a strict operational schedule, this number could easily increase.

The application is unclear – there is no kitchen or seating capacity indicated on the plan. The operating schedule is below what I would expect from an experienced operator and does not demonstrate an understanding of the locality with regards to CCTV coverage or incident books. The application requests off-sales - Upper Street N1 has a large number of licensed premises and the operating schedule makes no mention of how the operator is going to ensure the Borough-wide DPPO is maintained.

Police aim to work with every applicant and consider every application on its merits and contacted the applicants agent on 4th August 2014 requesting more information on the business offering, but have received no such information.

It is for these reasons that we are objecting to the application and propose that it is refused.

However, if the committee were of a mind to grant this application, Police would recommend that the following conditions are added to the licence:

- 1) There shall be no vertical drinking.
- 2) All alcohol shall be served at the table to seated customers taking a substantial table meal.
- 3) There shall be no off-sales of alcohol.
- 4) Prominent signage shall be placed within the venue requesting customers to respect neighbours and leave quietly.
- 5) A full CCTV condition which also covers the outside of the venue.

Should you wish to discuss the matter further please contact me on Mobile 07799133204 or via email,

policeicensing@islington.gov.uk.

Yours sincerely

Paul Hoppe Pc 208NI

Steven Harrington Pc 425NI

Peter Conisbee Pc 575NI

Islington Police Licensing Team

2



Pollution Team
222 Upper Street
London N1 1XR

T 020 7527 3047
F 020 7527 3059
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

Our ref: abr/201454868
Your ref:

Date: 19 August 2014

Midtown West Limited
Osborne House
143-145 Stanwell Road
Ashford
Middlesex TW15 3QN

This matter is being dealt with by:
Anne Brothers

Dear Sir

PREMISES LICENCE APPLICATION, 113 UPPER STREET LONDON N1 1QN, LICENSING ACT 2003

Please find enclosed a representation from the Pollution Team as Responsible Authority as defined by the Licensing Act 2003.

If you have any queries on this matter please contact me at the above office.

If you agree to the suggested conditions, Pollution Team will withdraw this representation.

Yours faithfully,

Anne Brothers
Principal Technical Officer
cc. Dan Whitton, Licensing Officer
mk@bigplus.com



Islington Licensing Authority Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

Your Name	Anne Brothers	
Job Title	Noise Liaison Officer	
Postal and email address	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk	
Contact telephone number	020 7527 3047	
Name of the premises you are making a representation about		
Address of the premises you are making a representation about	113 Upper Street	
Which of the four Licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent public nuisance	Yes	
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See attached sheet. I e mailed the proposed licensee on 11 August (copy of e mail attached) regarding some issues in connection with the detail of the application but to date have not received any reply. Therefore those issues are listed below along with proposed noise conditions.	

Signed: Anne Brothers Date: 19 August 2014

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031

The applicant has not applied for late night refreshment but the application is to stay open until midnight on Friday and Saturday nights. The application should be amended take late night refreshments into account if any service after 23:00 is to be permitted on any night of the week.

The applicant has applied to serve alcohol until 23:00 Sunday to Thursday and Midnight on Friday and Saturday nights. The stated closing times on the application are 23:00 Sunday to Thursday and Midnight on Friday and Saturday nights. It would be conducive to a gradual dispersal of your customers (and probably customer satisfaction) if the application was to close the premises half an hour after the last sale of alcohol. This means service would stop at 23:00 Sunday to Thursday and Midnight on Friday and Saturdays but your closing times would be 23:30 Sunday to Thursday and 00:30 on Friday and Saturday nights. Alternatively they could cease the service of alcohol half an hour earlier and keep to their applied for closing times.

Pollution Team suggested conditions are as follows:

- Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
- The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, to prevent persons in the neighbourhood from being unreasonably disturbed by noise from plant machinery. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used after 23:00 on any night.
- Bottling out from the premises is prohibited between 23:00 hours and 07:00 hours.
- There shall be no collections or deliveries between the hours of 23:00 and 07:00 hours.
- Customers who wish to step outside to smoke will be directed to a designated and managed area to the front of the premises. The maximum number of customers permitted to smoke in the designated area will be 8.

Pollution Team also notes the application is for both on and off sales of alcohol. We query the need for off sales from the premises while acknowledging the applicant has stated in the operating schedule that no drinks in open containers will be permitted outside. Therefore we suggest the following condition in relation to off sales:

- Any off-sales will be made in sealed containers to be taken away from the premises

From: Brothers, Anne
Sent: 11 August 2014 16:22
To: REDACTED; REDACTED
Cc: Whitton, Daniel
Subject: Premises licence application, 113 Upper Street
Importance: High

Dear Sir

I just called your given number and spoke to Amani regarding the above application. I can see a couple of issues that need remedying as follows:

- You have not applied for late night refreshment but you want to stay open until midnight on Friday and Saturday nights. You will need to amend the application to take late night refreshments into account if you want any service after 23:00 on any night of the week.
- You have applied to serve alcohol until 23:00 Sunday to Thursday and Midnight on Friday and Saturday nights. You have also stated your closing times will be 23:00 Sunday to Thursday and Midnight on Friday and Saturday nights. It would be conducive to a gradual dispersal of your customers (and probably customer satisfaction) if you applied to close the premises half an hour after the last sale of alcohol. This means all service would stop at 23:00 Sunday to Thursday and Midnight on Friday and Saturdays but your closing times would be 23:30 Sunday to Thursday and 00:30 on Friday and Saturday nights.

I think you should amend the premises licence application to take the above two points into account.

Please contact your Licensing Officer Mr Dan Whitton to discuss this further. Mr Whitton can be contacted on 020 7527 3841 or by e mail at dan.whitton@islington.gov.uk

Yours faithfully,

Anne Brothers
Noise Liaison Officer
Noise Team
Public Protection
Islington Council
3rd Floor 222 Upper Street, London N1 1XR
Tel : 020 7527 3047 Fax: 020 7527 3059
Alternative contact: Noise Support Team: 020 7527 3258

www.islington.gov.uk

How to get here:

<http://www.islington.gov.uk.uk/contact/visitingoffices/222upperst.asp>

The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this E-Mail and your reply cannot be guaranteed. The information in this message is confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by any other person is not permitted. If you are not the intended recipient, any disclosure, copying,

distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

3

Fitzsimons, Aiden

From:
Sent: 05 August 2014 18:49
To: Licensing
Subject: RE: Premises Licence Application: Cafe/Restaurant, 113 Upper Street

I am concerned that this is an application for yet another venue serving alcohol until late at night in an area already oversupplied. I assume that the Council have already granted planning permission for the change of use as the property was formerly a gallery. If no planning consent has been granted then the licence should not be granted until full planning permission is obtained. If the Council are minded to grant the application then there should be conditions attached to it so that it is only an on licence and that no bottles or glasses are to be taken outside, as stated in the application. The licence should also be restricted to the sale of 8 types of wine and 2 types beer and sold only to those customers consuming a full meal and as ancillary to that meal. My concern is that people make seek to have a beer and crisps or join friends for a drink without having a meal themselves. If the staff know they have no licence to do that they do not have to come to difficult decisions and the venue will remain a restaurant rather than become a public house. This should not present any problems for the applicant as this is his stated business plan.

From: Fitzsimons, Aiden [<mailto:Aiden.Fitzsimons@islington.gov.uk>]
Sent: 30 July 2014 12:17
To: LicensingPolice; Issues, Noise; Standards, Trading; Eden, Laura; Neil, Rebecca; Gibbons, Janice; CSPU Team; Control, Building; Sumpter, Colin; 'islingtongroup@london-fire.gov.uk' (islingtongroup@london-fire.gov.uk); Envh, Commercial
Cc: Lane, Terrie; Montanez-Dodson, Monty; Nash, Rosemary; itton, Angela; Poole, Gary; Turan, Nurullah
Subject: Premises Licence Application: Cafe/Restaurant, 113 Upper Street

Dear Sir/Madam,

We have received the following attached application for a **Premises Licence (New)**:

Proposed licence holder: Midtown West Limited, Osborne House, 143-145 Stanwell Road, Ashford, Middlesex, TW15 3QN

Premises name: Café/Restaurant (no name given)

Address: 113 Upper Street, London, N1 1QN

Application received: 28 July 2014

Last date for representations: 25 August 2014

Reference: WK/201454742

Licensable activities and timings applied for:

4

Fitzsimons, Aiden

From:
Sent: 12 August 2014 12:42
To: Licensing; Fitzsimons, Aiden
Cc: Beverley Dean; alison flood
Subject: Fwd: Premises Licence Application: Cafe/Restaurant, 113 Upper Street
Attachments: Application-28July14.pdf

Dear Mr Fitzsimons

I wish to object to the application for a license for on and off sales at 113 Upper Street
THIS is in an area designated a Saturation Zone by the COuncil and we see no special reason why this new outlet should be granted a license. THERE are already too many off-licenses and on-licenses in the Angel area of Islington leading to ASB in the form of noise , threatening behaviour and unpleasantness (vomiting, urinating in the street) and we dont need any more.

Regards

From: Fitzsimons, Aiden [<mailto:Aiden.Fitzsimons@islington.gov.uk>]

Sent: 30 July 2014 12:17

To: LicensingPolice; Issues, Noise; Standards, Trading; Eden, Laura; Neil, Rebecca; Gibbons, Janice; CSPU Team; Control, Building; Sumpter, Colin; 'islingtongroup@london-fire.gov.uk' (islingtongroup@london-fire.gov.uk); Envh, Commercial

Cc: Lane, Terrie; Montanez-Dodson, Monty; Nash, Rosemary;
Angela; Poole, Gary; Turan, Nurullah

1; Whitton, Daniel; Picknell,

Subject: Premises Licence Application: Cafe/Restaurant, 113 Upper Street

Dear Sir/Madam,

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Application received: 28 July 2014

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Licensable activities and timings applied for:

5

12 AUG 2014

PUBLIC PROTECTION DIVISION
20 UPPER ST, LONDON N1 1XR

Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application, please use this form to help you. Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

Premises Name and address:

Cafe/Restaurant, 113 Upper Street, Islington, London, N1 1QN

Your Name:

Interest:

RESIDENT

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

Your Address:

Email:

Telephone:

Please comment on the licensing objectives below relevant to your concerns or observations, you may also wish to include suggestions how your concerns could be addressed:

Public Nuisance — late night queues onto already saturated area, esp. at weekends, + esp. if alcohol can be bought to take away. Already every other business in this area is restaurant bar or club (saturation) with noise, bottles left around, vomit and worse, in an area which should be better class. Change of use from Hot Galley without residents knowledge. Rumour said it was to be Galley with coffee + drinks. Why change of use?

Crime and Disorder
So far little crime in area, but take-away alcohol could quickly lead to Disorder. There are already plenty of off-licenses in the near vicinity eg Sainsburys + Essex Rd.

Protection of Children from Harm

Public Safety

I wish my identity to be kept anonymous: Yes / No

We will treat representations as anonymous where there is a genuine reason to do so; if you wish your name and address details to be withheld then please explain the reason:

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

Signature:

Date:

7/8/14

Please ensure name and address details completed above

Return to:

Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR

or send by email to:

licensing@islington.gov.uk

Suggested conditions of approval consistent with the operating schedule

1. Alcohol will only be supplied as an ancillary to a table meal.
2. Alcohol choice will be limited to a selection of no more than eight wines and two beers at any one time.
3. There will be no discounts in relation to the supply of alcohol.
4. No glasses or open bottles will be allowed off the premises.
5. High resolution CCTV shall be used and recordings shall be held for sixty days.
6. All customers will be advised to leave quietly and respect the neighbours.

The Metropolitan Police recommends that the application is refused. However if the Licensing Sub-Committee decides to approve the application the following conditions are suggested.

7. There shall be no vertical drinking.
8. All alcohol shall be served at the table to seated customers taking a substantial table meal.
9. There shall be no off-sales of alcohol.
10. Prominent signage shall be placed within the venue requesting customers to respect neighbours and leave quietly.
11. A full CCTV condition which also covers the outside of the venue.

Conditions proposed by the Noise Service

12. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
13. The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, , to prevent persons in the neighbourhood from being unreasonably disturbed by noise from plant machinery. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used after 23:00 on any night.
14. Bottling out from the premises is prohibited between 23:00 and 07:00.
15. There shall be no collections or deliveries between the hours of 23:00 and 07:00.
16. Customers who wish to step outside to smoke will be directed to a designated and managed area to the front of the premises. The maximum number of customers to smoke in the designated shall be no more than eight, at any one time.
17. Any off-sales will be made in sealed containers to be taken away from the premises.