



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

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

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE PROVISIONAL STATEMENT APPLICATION**  
**RE: 116N UPPER STREET, LONDON, N1 1QP**

## 1. Synopsis

1.1 This is an application for a Provisional Statement under the Licensing Act 2003.

1.2 The Provisional Statement is to allow:

- Sale by retail of alcohol, on & off supplies, Sundays to Thursdays from 10:00 until 23:00 and Saturdays & Sundays from 10:00 until 00:00;
- Provision of late night refreshment, Fridays and Saturdays from 23:00 until 00:00; and
- Hours the premises are open to the public, Sundays to Thursdays from 08:00 until 23:00 and Fridays & Saturdays from 08:00 until 00:00.

Non-Standard Timings to allow:

- 10:00 until 00:00 on Sundays before Bank Holidays.

## 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: Ten local residents
Other bodies	Yes: One local Councillor and Three local Residents' Associations

### 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 Provisional Statement:

- A Provisional Statement is sought when a proposed licensed premises is yet to be constructed;
- The process for a Provisional Statement is similar to that of a new premises licence application. The applicant can put forward proposed hours & licensable activities as well as proposed conditions;
- If a Provisional Statement is approved it will describe the size and location, agreed hours & licensable activities, any premises licence conditions and include a proposed schedule of works;
- The Provisional Statement will authorise the subsequent granting of a premises licence application, if in the same form as the licence described in the Provisional Statement, unless there has been a material change in the relevant premises or to the local area.

### 4. Planning Implications

#### 4.1 Condition of planning authorisation for the development as below:

The approved A3 use shall not operate except between the hours of 08.00 and 23.00 on any day.

REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their premises.

### 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)

**5 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

5.10.15  
Date

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

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

Restaurant

2015 95824  
Thomas & Thomas

Partners LLP  
Appendix 1  
Due: 08/09/15

Application for a provisional statement to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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 Sager House (Almeida) Ltd

(Insert name(s) of applicant)

apply for a provisional statement under section 29 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 or description A3 Unit (G5), 116N Upper Street  (as more specifically shown hatched red on the site plan nos. 1935-00DR-9993 Rev. C04 and 1935-00DR-9994 Rev.C03 and designated G5)			
Post town	London	Postcode	N1 1QP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick all that apply

- 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)

IP2/SO2088  
£315.00/ELMS  
11/08/15

- 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 as appropriate

- 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) <input type="checkbox"/>	
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 Sager House (Almeida) Ltd
Address 50 Seymour Street London W1H 7JG
Registered number (where applicable) 04177350
Description of applicant (for example, partnership, company, unincorporated association) limited company
Telephone number (if any)
E-mail address (optional)

What is the nature of your interest in the premises?

Developer / Freeholder

**Part 3 – Schedule of works**

Is the premises

Please tick as appropriate

about to be constructed



being extended or altered



Please give details of the work and please attach plans of the work being done or about to be done at the premises

This is part of a new mixed-use development on the site of the former post office sorting depot. The works are to construct two restaurants with external seating as shown, subject to the attached conditions.

See further attached schedule of works

Please give particulars of the premises to which the application relates (please read guidance note 1)

Restaurant with ancillary bar (restricted to no more than 20% of the area where alcohol can be sold)

Which licensable activities will the premises be used for?

Provision of regulated entertainment

Please tick Yes

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

Provision of late night refreshment (optional, fill in box I)

Supply of alcohol (optional, fill in box J)

Complete boxes K, L and M (optional)

Part 4 – OPTIONAL – you may fill in this section if you choose to

General description of premises (please read guidance note 1)

Restaurant with ancillary bar (restricted to no more than 20% of the area where alcohol can be sold)



**A**

Plays Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Wed			<b><u>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</u></b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed					
Thur					
			<b>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</b> (please read guidance note 5)		
Fri					
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			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Tue					
			<b><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></b> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Tue					
			<b>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</b> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					



**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Tue					
			<b>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</b> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>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</u></b> (please read guidance note 5)		
Sun					



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) the provision of hot food and drink to patrons		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5) On Sundays prior to bank holidays 23:00 - 24:00		
Fri	23:00	24:00			
Sat	23:00	24:00			
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	10:00	23:00						
Tue	10:00	23:00						
Wed	10:00	23:00						
Thur	10:00	23:00				<b>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</b> (please read guidance note 5)		
Fri	10:00	24:00	On Sundays before Bank Holidays 10:00 - 24:00					
Sat	10:00	24:00						
Sun	10:00	23:00						

**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).

n/a

L

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	24:00	
Sat	08:00	24:00	
Sun	08:00	23:00	

**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 (please read guidance note 5)**

On Sundays prior to bank holidays 08:00 - 00:00

**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)**

The applicant has carefully considered Islington's Policy and in particular policies 2, 8 and 9-24. A schedule of proposed conditions is attached.

**b) The prevention of crime and disorder**

see (a) above and attached conditions

**c) Public safety**

see (a) above and attached conditions

**d) The prevention of public nuisance**

see (a) above and attached conditions

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

see (a) above and attached conditions

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plans of the works to be done at the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**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 5 – 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	11 August 2015
Capacity	Thomas & Thomas Partners LLP

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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).**

AT/TB/SAG.6.1  
Thomas & Thomas Partners LLP  
38a Monmouth Street

Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	020 7042 0415		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional). tburton@tandtp.com			

## Notes for Guidance

1. Describe the premises, for example the type of premises, their general situation and layout and any other information which could be relevant to the licensing objectives. Where you are completing Part 4 and 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 applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

## APPLICATION FOR PROVISIONAL STATEMENT

**A3 Unit (G5), 116N Upper Street, Islington, N1 1QP.**

### **Proposed conditions:**

1. Substantial food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
2. The sale of alcohol for consumption off the premises must be in sealed containers.
3. In 80% of the area where the sale of alcohol takes place, alcohol shall only be sold by waiter/waitress service to persons taking table meals there and for consumption by any such person as an ancillary to his meal, such area to be clearly defined on the plans submitted with any premises licence application relying on this provisional statement.
4. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.

5. A comprehensive incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. Each entry will be timed, dated and if need be rationale noted. The log will record the following:
  - (a) All crimes reported to the venue
  - (b) All ejections of patrons
  - (c) Any complaints received concerning crime and disorder
  - (d) Any incidents of disorder
  - (e) All seizures of drugs or offensive weapons
  - (f) Any refusal of the sale of alcohol
  - (g) Any visit by a relevant authority or emergency service.
  
6. Clear signage is to be displayed prominently and maintained at all exits of the premises requiring patrons to leave and enter the premises and area quietly out of respect for local residents.
  
7. The premises shall operate a challenge 21 scheme, all staff to be trained accordingly and a refusals book kept.

Thomas & Thomas Partners LLP  
28 July 2015



# **Islington Square**

## **A3 Use - Unit Shell Specification**

**10th August 2015**

# Contents

## Shell Details

- 1.0 Standards
- 2.0 Dimensional
- 3.0 Substructure and Foundations
- 4.0 Structural Frame
- 5.0 Ground Floor Slab
- 6.0 Building Fabric
- 7.0 Windows and External Doors
- 8.0 Stairs and Lift
- 9.0 Acoustic Criteria
- 10.0 Services and Utilities
- 11.0 Drainage
- 12.0 External Works
- 13.0 Handover

## **Shell Details**

### **1.0 Standards**

- 1.1 All elements of the works, materials and workmanship will be designed and constructed in accordance with the "Standards" where relevant, applicable and current at the time that the development was registered with the Local Council for Building Regulations approval.
- 1.2 The quality of any material/component used in construction shall not be lower than that defined in the relevant current British Standards or in the absence of a relevant British Standard, a British Board of Agreement Certificate and shall be suitable for the use intended in the locations specified.

### **2.0 Dimensional**

#### **2.1 Unit**

- 2.2 The Demise will have an internal floor area, primarily on a single floor at ground level but in some instances including also internal floor area at first floor level.
- 2.3 Within the demise there will be various horizontal drain runs installed at high level which will protrude down into the space. These are all as indicated on the services drawing and include the approximate invert levels.
- 2.4 The demise will be provided with a dedicated entrance at street level.

### **3.0 Substructure and Foundations**

- 3.1 Any contamination or hazardous ground conditions are to be dealt with in the shell building contract, with suitable treatments carried out in accordance with Health and Safety Executive and Environmental Health recommendations.
- 3.2 The substructure and foundations shall be designed in line with the specific local ground conditions.
- 3.3 Subdivision walls between units will be in blockwork.
- 3.4 Generally, the fit out walls will be in stud partitioning, however, there could be some walls which will be in blockwork.
- 3.5 The Developer shall design and install any foundation requirements and shall provide any land drainage as required by local ground conditions.

### **4.0 Structural Frame**

- 4.1 The structure is to be designed in accordance with the current relevant British Standard for each structural material.
- 4.2 The structure is to be designed to the loadings given within this document or the minimum imposed loadings stated in BS 6399, Parts 1, 2 and 3 for each relevant case.

4.3 The Developer will be responsible for the fire protection of the basic shell. The tenant will be responsible for the fire protection of any elements incorporated in the fitting out.

4.4 All concrete columns within a unit will be plain smooth finish.

4.5 Where required any exposed steelwork columns/beams or windposts will be fire rated intumescent paint.

## **5.0 Demise Floor Slab**

5.1 New floor slabs are to be constructed in reinforced concrete and are to be designed in accordance with the relevant Codes of Practice and British Standards and taking account of the ground conditions and use.

5.2 New slabs shall have a tamped or trowel concrete finish set down generally 100mm from the finished floor level for screeding and finishes.

## **6.0 Building Fabric**

6.1 If required by building regulations the shell shall be tested for air tightness and signed off by the building control officer.

## **7.0 Windows and External Doors**

7.1 The tenant will be responsible for the shop front installation.

7.2 Wherever practical, all glazing to be capable of being replaced from outside the building.

7.3 Fire exit, personnel and service doors are to comprise pre-finished flush solid core timber doors, thresholds and emergency exit ironmongery to insurer's requirements.

## **8.0 Stairs and Lifts**

8.1 Escape stairs where provided from the demise will be fully compliant with building control.

8.2 Access into the demise from the fire exits will be restricted by the relevant ironmongery selection.

8.3 A DDA compliant refuge point will be provided where required by building regulations along with an intercom system back to a manned security centre.

8.4 All lift installations will be designed and installed to allow ease of servicing. Where the lifts are installed by the Developer a service contract shall be maintained by the developer.

8.5 Lifts shall have a direct link back to a 24 hour manned emergency station.

## **9.0 Services & Utilities**

9.1 The Developer will provide suitably sized water, gas and electric mains into the shell and these shall be terminated within the building in the agreed locations.

9.2 External louvres or suitable termination points for services will be provided.

- 9.3 The Developer will provide a lightning protection system for the whole building in full compliance with the relevant British Standard.
- 9.4 A capped soil vent pipe for tenants toilet facilities will be provided.
- 9.5 Capped condenser water flow return and pipework will be provided for the tenants heating and cooling system connections.
- 9.6 A fire alarm interface panel will be provided within each unit.

#### **10.0 Drainage**

- 10.1 In all drainage design and construction, British Standards and the requirements of Building Control and other relevant statutory bodies shall be met and approved.
- 10.2 There may be shared pipework services from the floor above routed through the demise at high level.
- 10.3 Any services running through the demise are to be suitably insulated for noise and condensation.

#### **11.0 External Works**

- 11.1 The service ramp and road surfacing specification is to be suitable for the infrequent use of medium to heavy duty vehicles and for designated service routes to the loading bay.
- 11.2 The tenant is to provide a refuse holding area within their demise and arrange for refuse to be taken to a central compaction area via a designated service route.

Appendix 2.

①

Your  
Our Licensing/NI  
Date: 03/09/2015



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

Telephone: 07799133204  
Facsimile:  
Email:  
licensingpolice@islington.gov.uk

Thomas and Thomas Partners LLP  
38A Monmouth Street,  
London,  
WC2H 9EP

Dear Sir

**Re: Application for a premises licence - A3 Unit (G5) 116N Upper Street, N1 1QP**

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 it is our belief that if granted the application would undermine the Licensing Objectives, being the Prevention of Crime and Disorder.

The venue is situated in the designated 'Upper Street and Angel Cumulative Impact Area'; a locality where there is traditionally high crime and disorder, and a large number of licensed bars and off-licenses in the immediate area. Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency service's resources.

There are 88 licensed premises within a 200 metre radius of this proposed venue. A great many of these are restaurants.

On the 17<sup>th</sup> of August 2015 I wrote to the applicant's representative asking the following questions; What is the capacity? How many covers? What limits have been set for vertical drinking? Is the bar area purely for those people waiting for tables? Are the off-sales for 'part drunk' bottles during a meal?

I have had no reply, nor acknowledgement of this email.

As can be seen, Upper Street is awash with licensed premises, bars and restaurants operating at all hours. Such are the issues with alcohol related violence and disorder, police have been forced to increase patrols during the nighttime economy over weekends. We need firm conditions in place to prevent any venue adding to the cumulative impact.

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

Should you wish to discuss the matter further please contact me on Mobile 07799133204 or via email, licensingpolice@islington.gov.uk

Yours sincerely  
Peter Conisbee Pc 575NI  
Steven Harrington Pc 425NI  
Nick Pamboris Pc548NI

Islington Police Licensing Team



# ISLINGTON

Environment and Regeneration

Public Protection Division  
Licensing Act 2003

②

## REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Public Protection, Pollution Team

Your Name	Fanos Santis
Job Title	Senior Environmental Health Officer
Postal and email address	3 <sup>rd</sup> Floor, 222 Upper Street Islington, London N1 1XR Fanos.santis@islington.gov.uk
Contact telephone number	0207527 3963

Name of the premises you are making a representation about	A3 Unit (G5)
Address of the premises you are making a representation about	116N Upper Street, London N1 1QP

*Please detail the evidence supporting your representation. Or the reason for your representation.*

*Please use separate sheets if necessary*

### To prevent public nuisance

This representation refers to a premises license application for A3 Unit (G5), 116N Upper Street, London N1 1QP. The applicant has applied for late refreshment from 23.00 to 24.00, Mondays to Sundays; the provision for recorded music and dancing from 20.30 to 00.00, Fridays and Saturdays and supply of alcohol from 10.00 to 23.00, Sundays to Thursdays and from 10.00 to 24.00, Fridays and Saturdays. With regards to details supplied to prevent public nuisance concerning noise, the applicant has stated that notices will be displayed asking customers to leave quietly. There are no details for times for collection of waste or delivery of goods associated with the application. In my opinion the details provided are inadequate and will not address the licensing objective of prevention of public nuisance.

The Pollution Team therefore objects to the licence application, subject to conditions set below

**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.**

1. There shall be no bottling out, waste collections and deliveries from the premises between 22:00 and 07:00 on any day of the week.
2. Any outside tables and chairs will be cleared away or rendered unusable by 22:00.
3. No Sales of alcohol for consumption off the premises after 23:00

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

8<sup>th</sup> September 2015

**Please send this form along with any additional sheets to the applicant. A copy should be sent to:  
Islington Council, Licensing Team, 3<sup>rd</sup> Floor, Upper Street London N1 1XR or email to  
[licensing@islington.gov.uk](mailto: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**



**Senler, Yesim**

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**From:** Poole, Gary  
**Sent:** 07 September 2015 06:09  
**To:** Licensing  
**Subject:** RE: Premises Licence Application (Provisional Statement): New Restaurant - To be Named

I would like to register an objection.

This strikes me a speculative application, being sought to add commercial value to a vacant lot. As such I can have no confidence in the levels of management or regard for the CIZ.

In particular an application for off-sales location alone will add to the cumulative impact in my Ward,

Regards

Cllr Gary Poole

Sent with Good ([www.good.com](http://www.good.com))

Sent with Good ([www.good.com](http://www.good.com))

-----Original Message-----

**From:** Senler, Yesim

**Sent:** Monday, August 17, 2015 02:57 PM GMT Standard Time

**To:** LicensingPolice; Santis, Fanos; Standards, Trading; S&QA; Kitts, Mitch; Gibbons, Janice; CSPU Team; Control, Building; Corker, Emma; 'islingtongroup@london-fire.gov.uk' ([islingtongroup@london-fire.gov.uk](mailto:islingtongroup@london-fire.gov.uk)); Envh, Commercial

**Cc:** Lane, Terrie; Montanez-Dodson, Monty; Nash, Rosemary; Clift, Paul;

Whitton, Daniel; Picknell, Angela; Poole, Gary; Turan, Nurullah

**Subject:** Premises Licence Application (Provisional Statement): New Restaurant - To be Named

Dear Sir/Madam,

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

Proposed licence holder: Sager House (Almeida) Limited, 50 Seymour Street, Londo

Attachments:

App.form.pdf (672380 Bytes)

Plans.pdf (3120491 Bytes)

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## Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application 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 : The New Restaurant, 116N Upper Street London N1 1QP

Provisional statement application ref WK/2015 95824

Your Name:

Interest: local resident and chair, Almeida Street Residents' Association

(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

We are concerned about the impact of this restaurant with its proposed outside tables on local residents in Studd Street & Moon Street as well as the future residents of the flats to be constructed in the building above and opposite the proposed site. We do not wish Esther Anne Place to become an extension of the Upper Street night drinking and dining scene.

An off licence is not necessary or appropriate for this restaurant and the application in that respect should be rejected.

We note that no application has been made for live or recorded music, entertainment or dancing and these should not be permitted.

When the original planning consent for this part of the development was granted we and the Studd Street & Moon Street Residents Association obtained a limit on the operating hours of the A3 uses to 08.00 to 23.00 hours on any day, so the applicant's request for later hours on Fridays, Saturdays and the Sundays prior to bank holidays should not be allowed. The licensing hours should end at 22.30 to allow time for drinking up and payment prior to 23.00 hours

The original consent also provided that entrance to and exit from the approved mall area including A3 units after 22.00 hours shall be from Upper Street only.

We accordingly suggest that the following conditions should be added to or substituted for those already proposed by the applicants:

1. The premises shall operate only as a restaurant with alcohol being sold to a customer solely when in conjunction with a meal for that customer. A meal shall not be constituted by bar snacks or a single side order of food, and the ancillary bar area shall be used only by a maximum number (to be agreed) of customers waiting for a table or after they have finished their meal.
2. The outside tables shall be cleared of patrons by 22.00 and the access doors to them from the restaurant shall be closed at 22.00.

3. Entry to and exit from the restaurant shall only be by the doors onto the 116 Upper Street arcade.
4. No new customer shall be admitted to the restaurant after 22.00.
5. A member of staff of the licence holder shall be present at the exit from 22:00 to 23:00 to ensure no new customers are admitted and to direct patrons to the arcade exit towards Upper Street and to ensure that patrons do not create a disturbance or loiter outside or adjacent to the premises.
6. No more than five (5) patrons or staff shall be permitted to smoke outside the premises at any one time and shall only be permitted to smoke in an area designated as such (to be agreed)
7. No chairs or tables shall be placed outside the premises except in the area marked on the approved licensing plan, and they shall be fenced off from Esther Anne Place so that they may only be accessible from within the restaurant.
8. A dedicated telephone number and email address for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint during the operation of the licence, which shall be provided to the Licensing Authority and the Studd Street & Moon Street Residents' Association and shall be advertised on the restaurant's website and at the premises in a prominent position so that it can be read from the outside . Any change to the number or email address shall be notified to the Licensing Authority and the Almeida Street Residents' Association not less than 7 days prior to the change and shall remain current at all times.
9. A Challenge 25 Policy shall be adopted.
10. The maximum number of persons accommodated at any one time in the premises shall not exceed the number agreed with the responsible authority for health and public safety

#### **Crime and Disorder**

See above

#### **Protection of Children from Harm**

<b>Public Safety</b>
See above

I wish my identity to be kept anonymous: 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:

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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: 3 September 2015

Please ensure name and address details completed above

Return to:

Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street  
London N1 1XR  
[licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

or send by email to:



4. When the original planning consent for this part of the development was granted, the Moon Street and Studd Street Residents' Association, together with the Almeida Street Residents' Association, obtained a limit on the *operating* hours of the A3 uses from 0800 to 2300 hours on any day. The applicant's request for later hours on Fridays, Saturdays and the Sunday's before Bank Holidays should therefore not be allowed. The licensing hours should end at 2230 to allow drinking up and payment prior to 2300 hours.

5. The original planning consent also provided that entrance to and exit from the approved mall area including A3 units after 2200 hours shall be from Upper Street only. We therefore suggest the following additions/ amendments to the proposals:

6. The premises operate only as a restaurant with alcohol being sold to a customer solely when in conjunction with a meal for that customer. A meal shall not be constituted by bar snacks or by a single side order of food and the ancillary bar area shall be used by a maximum number (to be agreed) of customers waiting for a table or after they have finished their meal.

6. The outside tables shall be cleared by 2200 and the access doors to these tables from the restaurant shall be closed at 2200.

7. Entry to and exit from the restaurant shall only be by the doors on to the 116 Upper Street arcade.
8. No new customer shall be admitted to the restaurant after 2200.
9. A member of staff of the licence holder shall be present at the exit from 2200 to 2300 to ensure no new customers are admitted and to direct patrons to the arcade exit towards Upper Street and to ensure that patrons do not create a disturbance or loiter outside or adjacent to the premises.
10. No more than 5 patrons or staff shall be permitted to smoke outside the premises at any one time and shall only be permitted to smoke in an area designated as such (to be agreed). Experience of residents has been that staff and customers from nearby licensed premises often use Studd Street and Moon Street as their smoking venue, which has caused nuisance to residents on a persistent basis.
11. No tables or chairs shall be placed outside the restaurant except in the area marked on the approved licensing plan, and they shall be fenced off from Esther Anne Place so that they may only be accessible from within the restaurant.
12. A dedicated phone number and e mail address for the Designated Premises Supervisor or Duty Manager shall be maintained for use by any person who may wish to make a complaint during the operation of the licence, which shall be provided to the Licensing Authority and both the Moon Street and Studd Street and the Almeida Street Residents' Associations, and shall be advertised on the gym's website and at the premises in a prominent position so it can be read from outside. Any change to the number shall be notified to the Licensing Authority and the Moon Street and Studd Street and the Almeida Street Residents' Associations not less than 7 days prior to the change and shall remain current at all times.

13. A Challenge 25 Policy shall be adopted.

14. The maximum number of persons accommodated at any one time within the premises shall not exceed the number agreed with the responsible authority for health and public safety.

We have commented as best we are able on the back of the insufficient information available as to the risk of public nuisance. The experience of residents in Studd Street and Moon Street has been one of significant public nuisance as a result of customers leaving nearby licensed premises in Theberton Street and Upper Street: noise, increased traffic, litter, threatening behaviour, urine, faeces and vomit in doorways and on pavements, have all been regularly experienced by residents. Conditions that prevent customers vacating these premises via the Studd Street entrance post 2200 hours would therefore be welcomed.

**Crime and Disorder**

**Protection of Children from Harm**

**Public Safety**





**Whitton, Daniel**

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**From:**  
**Sent:** 30 August 2015 23:34  
**To:** Licensing  
**Subject:** The New Restaurant 6A & 6B Esther Anne Place, N1 1WL and 116N Upper Street, N1 1QP references WK/2015 95824 and 95829

I write on behalf of the Theberton Street Residents' Association.

We observe that these two applications are for licences to serve alcohol both on and off the premises. We question the need for off licences. In our view there are already sufficient off licences in the area. We are concerned that additional sources of supply of alcohol, particularly late in the evening, may lead to public nuisance. If the purpose of the off licence is to cover the sale of alcohol to customers seated at outside tables and chairs we ask that, instead, this is authorised by showing the outside drinking area on the plan attached to the premises licence (as envisaged in the Council's guidance notes).

Regards

Businesses selling alcohol to customers seated at outside tables and chairs need to ensure their premises licence allows this. Usually this is authorised by showing the outside drinking area on the plan attached the premises licence or the premises licence allowing alcohol to be sold for consumption "off" the premises.

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:

NEW RESTAURANT, 116N Upper Street, Islington, London, N1 1QP

RESIDENT.

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

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

AS A RESIDENTIAL AREA, THE BERKOW, STOOD, MOON & ALMUDA STREETS ARE ALREADY AFFECTED WITH LATE NIGHT NOISE, FIGHTS & DISTURBANCES. THE AREA, AT THE LATE LABOR COUNCIL LEADER CATHERINE WEST SAID..

Crime and Disorder

"THIS AREA IS SATURATED WITH ALCOHOL LICENSES ON & OFF PREMISES. IF THE PURPOSE OF THE "OFF LICENSE" IS TO SERVE CUSTOMERS AT OUTSIDE TABLES, THEN A DEMARKED AREA SHOULD BE IMPOSED. WE THEREFORE OBJECT TO ANY "OFF LICENSE" PROPOSALS.

Protection of Children from Harm

THIS IS A RESIDENTIAL AREA WITH CHILDREN

Public Safety

COMMERCIAL/LICENSING

02 SEP 2015

PUBLIC PROTECTION DIVISION  
222 UPPER ST, LONDON N1 1XR

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 you have specifically in a report that will be made available to the public over the published period.

Date:

8/8 AUGUST 2015

Please ensure name and address details completed above

Return to:

Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street  
London N1 1XR

or send by email to:

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

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**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:

NEW RESTAURANT, 116N Upper Street, Islington, London, N1 1QP

Interest:

*RESIDENT*

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

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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:

COMMERCIAL/LICENSING  
07 SEP 2015  
PUBLIC PROTECTION DIVISION  
222 UPPER ST, LONDON N1 1XR

**Public Nuisance**

*Midnight is too late to serve drinks as it will be 1 AM or later before people leave  
I object to drinks being served off the premises*

**Crime and Disorder**



**Sender, Yesim**

9

**From:**  
**Sent:**  
**To:** Licensing  
**Subject:** WK/2015 95824

**I note this application at the new restaurant, 116N Upper Street**

**I object to 2 points of the licence application**

- 1) **The application of the licence until midnight on Fridays and Saturdays is too late and will cause public nuisance. This means that people will be standing in the vicinity of the premises or on the pavement in the street, and workers will be packing up and leaving themselves until well after 1am. There are many residents in the vicinity of the premises and there will be more in the new flats being built in Islington Square all of whom will be affected by this.**
- 2) **I do not think that on off licence should be permitted at all. This can lead to public nuisance and crime and disorder. This encourages people leaving the premises to take alcohol with them which will then lead to public nuisance and antisocial behaviour in nearby public spaces and streets. This is a pattern of behaviour we wish to avoid.**

**I would like this to be treated anonymously.**

**Yours sincerely**

**Sender, Yesim**

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**From:**  
**Sent:** 31 August 2015 10:10  
**To:** Licensing  
**Subject:** Licence application: 116N Upper Street, N1 1QP

To whom it may concern,

Re: ref WK/2015 95824

I object to this license application for the following reason:

The prevention of public nuisance, specifically in relation to the sale of alcohol which may be consumed on and off the premises from 10am - 11pm / 12am.

There are currently major issues with the level of noise from customers stood outside venues on this part of Upper Street. I do not have concerns regarding the sale of alcohol for consumption *inside* the premises, but allowing customers to consume outside leads to unnecessary disturbance for residents in the area.

I would also kindly request that the council enforces the venue to ensure customers:

1. do not linger outside the venue at closing time (with appropriate measures taken to prevent this from happening, e.g., no seating outside the venue), and
2. who are stood outside during opening hours do not make unnecessary noise.

I am happy to discuss my concerns in more detail if required.

Yours faithfully,

Senler, Yesim

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**From:**  
**Sent:** 01 September 2015 20:29  
**To:** Licensing  
**Subject:** Objection to new licence application 116N Upper Street, N1 1QP - Ref WK/2015 95829

Dear Sirs,

Re: New licence application 116N Upper Street, N1 1QP - Ref WK/2015 95829

I would like to object to the off licence application for the above premises on the grounds of prevention of public nuisance. The premises is designed to be primarily a restaurant with an ancillary bar area and has applied for provision of late night refreshment. Allowing off sales of alcohol would mean that customers would potentially be able to buy alcohol at the end of the night through the off licence and be able to continue consume it in the external areas after licensed hours as well as in the Islington Square development and also in the surrounding streets, many of which are residential. This can cause a nuisance to residents through noise and also has the potential for unpleasant behaviour, such as aggressive behaviour or drunken persons urinating in the street or in residential doorways. It could also have the potential to increase crime.

Unfortunately our experience of restaurants having off licences has shown that these can be subject to abuse. I am particularly concerned as we also have no idea of the eventual operator of the restaurant.

In addition Islington is already well served by several off licences in Upper Street so further off licences do not seem to be necessary.

I understand that the proposal is for the off licence to be used to serve alcohol in the outside areas of the restaurant. However if the alcohol is sold via an off licence then the proprietor has very little control of the alcohol consuming customers in the outside areas.

The use of an off licence for serving alcohol in an outside eating area also presents some practical problems:

1. The notes to the application state that off sales of alcohol will only be in sealed containers. Therefore how do the applicants propose that customers consume alcohol in the external areas from sealed containers. This would also mean that items such as wine by the glass, cocktails and tap/draft beers would be excluded from off sales.

2. My understanding is that alcohol consumed outside has to be paid for at the bar. If the proposal is for table service of food then this would mean that customers need to pay for alcohol separately at the bar and could not pay one bill at the table. This is inconvenient for both the proprietor and the customer.

I would ask that the Licensing Team and Licensing Committee reject the off licence application and instead include the outside areas in the actual licensed area of the restaurant. I understand that this can be achieved by showing the outside drinking area on the plan attached to the premises licence (as envisaged in the Council's guidance notes).

Yours faithfully,



**Licensing Act 2003 representation pro-forma**

Should you wish to comment on the licence application 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 The New Restaurant, 116 N Upper Street, Islington, London N1 1QP

Provisional statement application reference WK/2015 95824

**Your Name**

**Interest:** local resident Studd Street (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**

1. I'm concerned about the impact of this restaurant, with its proposed outside tables, on residents in Studd Street and Moon Street.
2. No application has been made for live or recorded music, entertainment or dancing and I ask that these should not be permitted.
3. An off licence is not necessary or appropriate for this restaurant and the application for an off licence should be rejected. There are already sufficient off licences in the area and I'm concerned that further late night alcohol availability could lead to an increase in public nuisance.
4. The original planning consent for this part of the development limits operating hours of the A3 uses from 0800 to 2300 hours on any day. The applicant's request for later hours on Fridays, Saturdays and the Sunday's before Bank Holidays should therefore not be allowed. The licensing hours should end at 2230 to allow drinking up and payment prior to 2300 hours.
5. The original planning consent also provided that access to the approved mall area including A3 units after 2200 hours shall be from Upper Street only. I therefore suggest the following additions/ amendments to the proposals:
6. This restaurant only sells alcohol to customers in conjunction with a meal (not bar snacks or a single side order of food). The ancillary bar area shall be used by a maximum number (to be agreed) of customers waiting for a table or after they have finished their meal.
7. The outside tables shall be cleared by 2200 and the access doors to these tables from the restaurant shall be closed at 2200.

8. Access to restaurant shall only be by the doors on to the 116 Upper Street arcade.
9. No new customer shall be admitted to the restaurant after 2200.
10. A member of staff of the licence holder shall be present at the exit from 2200 to 2300 to ensure no new customers are admitted and to direct patrons to the arcade exit towards Upper Street and to ensure that patrons do not create a disturbance or loiter outside or adjacent to the premises.
11. No more than 5 patrons or staff shall be permitted to smoke outside the premises at any one time and shall only be permitted to smoke in an area designated as such (to be agreed). Experience of residents has been that staff and customers from nearby licensed premises often use Studd Street and Moon Street as their smoking venue, which has caused nuisance to residents on a persistent basis.
12. Outside tables and chairs shall be restricted to the area marked on the approved licensing plan, and they shall be fenced off from Esther Anne Place so that they may only be accessible from within the restaurant.
13. A dedicated phone number and e mail address for the Designated Premises Supervisor or Duty Manager shall be maintained for use by any person who may wish to make a complaint during the operation of the licence, which shall be provided to the Licensing Authority and both the Moon Street and Studd Street and the Almeida Street Residents' Associations, and shall be advertised on the gym's website and at the premises in a prominent position so it can be read from outside. Any change to the number shall be notified to the Licensing Authority and the Moon Street and Studd Street and the Almeida Street Residents' Associations not less than 7 days prior to the change and shall remain current at all times.
14. A Challenge 25 Policy shall be adopted.
15. The maximum number of persons accommodated at any one time within the premises shall not exceed the number agreed with the responsible authority for health and public safety.
16. My experience over the years has been one of public nuisance as a result of customers leaving nearby licensed premises in Theberton Street and Upper Street: noise (affecting sleep as bedroom windows open onto Studd Street), increased traffic, litter, threatening behaviour, urine, faeces and vomit in doorways, on pavements and in the road. Conditions that prevent customers vacating these premises via the Studd Street entrance post 2200 hours would therefore be welcomed.

<b>Crime and Disorder</b>
<b>Protection of Children from Harm</b>
<b>Public Safety</b>

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: 8<sup>th</sup> Sept 2015**

**Returned to: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)**

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**Licensing Act 2003 representation pro-forma**

Should you wish to comment on the licence application 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 : The New Restaurant, 116N Upper Street London N1 1QP

Provisional statement application ref WK/2015 95824

Your Name

Interest: local resident and member, Studd and Moon Street Residents' Association

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**

We are concerned about the impact of this restaurant with its proposed outside tables on local residents in Studd Street & Moon Street as well as the future residents of the flats to be constructed in the building above and opposite the proposed site. I do not wish Esther Anne Place to become an extension of the Upper Street night drinking and dining scene.

We note that no application has been made for live or recorded music, entertainment or dancing and these should not be permitted.

When the original planning consent for this part of the development was granted we obtained a limit on the operating hours of the A3 uses to 08.00 to 23.00 hours on any day, so the applicant's request for later hours on Fridays, Saturdays and the Sundays prior to bank holidays should not be allowed. The licensing hours should end at 22.30 to allow time for drinking up and payment prior to 23.00 hours

The original consent also provided that entrance to and exit from the approved mall area including A3 units after 22.00 hours shall be from Upper Street only.

We accordingly suggest that the following conditions should be added to or substituted for those already proposed by the applicants:

1. The premises shall operate only as a restaurant with alcohol being sold to a customer solely when in conjunction with a meal for that customer. A meal shall not be constituted by bar snacks or a single side order of food, and the ancillary bar area shall be used only by a maximum number (to be agreed) of customers waiting for a table or after they have finished their meal.
2. The outside tables shall be cleared of patrons by 22.00.
3. No new customer shall be admitted to the restaurant after 22.00.
4. A member of staff of the licence holder shall be present at the exit from 22:00 to 23:00 to ensure no new customers are admitted and to direct patrons to the arcade exit towards Upper Street and to ensure that patrons do not create a disturbance or loiter outside or adjacent to the premises.
5. No more than five (5) patrons or staff shall be permitted to smoke outside the premises at any one time and shall only be permitted to smoke in an area designated as such (to be agreed)
6. No chairs or tables shall be placed outside the premises except in the area marked on the approved licensing plan.
7. A dedicated telephone number and email address for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint during the operation of the licence, which shall be provided to the Licensing Authority and the Studd Street & Moon Street Residents' Association and shall be advertised on the restaurant's website and at the premises in a prominent position so that it can be read from the outside . Any change to the number or email address shall be notified to the Licensing Authority and the Almeida Street Residents' Association not less than 7 days prior to the change and shall remain current at all times.
8. A Challenge 25 Policy shall be adopted.
9. The maximum number of persons accommodated at any one time in the premises shall not exceed the number agreed with the responsible authority for health and public safety

**Crime and Disorder**

See above

**Protection of Children from Harm**

**Public Safety**

See above

I wish my identity to be kept anonymous: 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: 3 September 2015

Please ensure name and address details completed above

Return to: Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street

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

1. Substantial food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
2. The sale of alcohol for consumption off the premises must be in sealed containers.
3. In 80% of the area where the sale of alcohol takes place, alcohol shall only be sold by waiter/waitress service to persons taking table meals there and for consumption by any such person as an ancillary to his meal, such area to be clearly defined on the plans submitted with any premises licence application relying on this provisional statement.
4. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.
5. A comprehensive incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. Each entry will be timed, dated and if need be rationale noted. The log will record the following:
  - a. All crimes reported to the venue;
  - b. All ejections of patrons;
  - c. Any complaints received concerning crime and disorder;
  - d. Any incidents of disorder;
  - e. All seizures of drugs or offensive weapons;
  - f. Any refusal of the sale of alcohol; and
  - g. Any visit by a relevant authority or emergency service.
6. Clear signage is to be displayed prominently and maintained at all exits of the premises requiring patrons to leave and enter the premises and area quietly out of respect for local residents.
7. The premises shall operate a challenge 21 scheme, all staff to be trained accordingly and a refusals book kept.

**Conditions proposed by the Noise Service**

8. There shall be no bottling out, waste collections and deliveries from the premises between 22:00 and 07.00 on any day of the week. **(Agreed)**
9. Any outside tables and chairs will be cleared away or rendered unusable by 22:00.
10. No Sales of alcohol for consumption off the premises after 23:00. **(Agreed)**

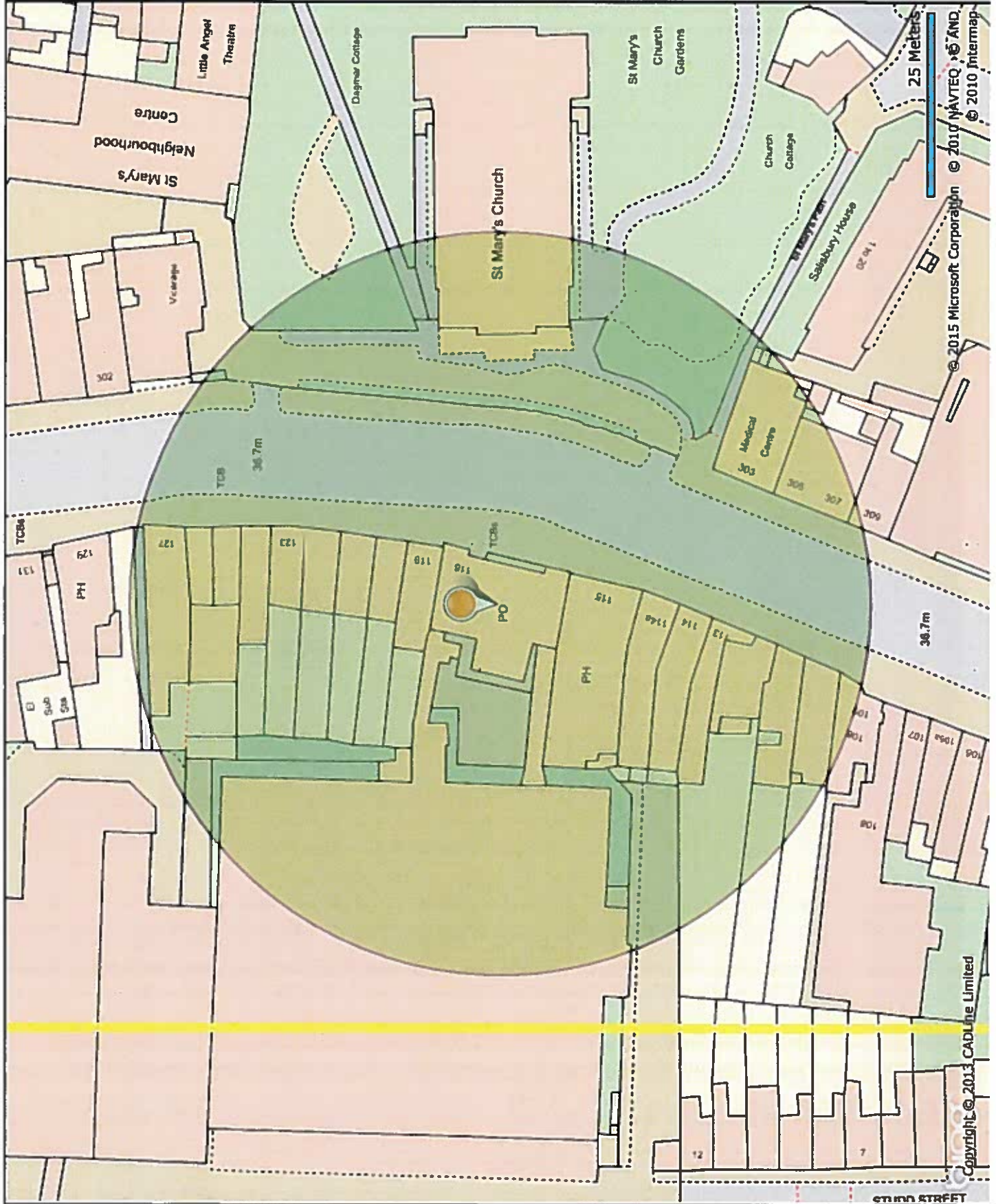
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Boundary

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