



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	3 November 2011	B6	Tollington

Delete as appropriate	Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
RE: ROHAT'S FRUIT BASKET, 93A STROUD GREEN ROAD, LONDON N4 3PX

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003
- 1.2 The application is to permit
 - i) sale of alcohol, for consumption off the premises, from 00:00 until 24:00 Monday to Sunday.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.2 If the Committee grants the application it should be subject to:
 - i. conditions of the current premises licence;
 - ii. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 3);
 - iii. conditions recommended by responsible Authorities (see appendix 3);
 - iv. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

- 3.1 Papers are attached as follows:-

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

- 3.2 The Licensing Authority has received 1 letter of representation from a local resident, the Police and Trading Standards.
- 3.3 The premises currently benefits from a license to sell alcohol for consumption off of the premises Monday to Sunday from 00:00 to 24:00;
- 3.4 The current licence is the subject of a review application by Trading Standards.

4. Conclusion and reasons for recommendations


- 4.1 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 necessary 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

24-10-11
Date

Received by

Head of Scrutiny and Democratic Services

Date

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WOLINGTON COUNCIL LICENSING	
Date	21/9/11
Fee Paid	£190
Cash Cheque Number	000518
Receipt Number	49189
	DW11

Application for a premises licence 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 **ALI KELES**

(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 or description	
ROHAT'S FRUIT BASKET, 93A STROUD GREEN ROAD,	
Post town	LONDON
Post code	N4 3PX

COMMERCIAL PREMISES
21 SEP 2011
PUBLIC PROTECTION DIVISION
220 UPPER ST LONDON N4 3PX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£15250

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- 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 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KELES			First names ALI		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		269 FORE STREET			
Post Town	LONDON		Postcode	N18 2TY	
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year

1	9	1	0	2	0	1	1
---	---	---	---	---	---	---	---

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

Day Month Year

1	1	1	1	1	1	1	1
---	---	---	---	---	---	---	---

Please give a general description of the premises (please read guidance note1)
The premises is a tradition shop consisting of a ground floor, located on a major road.

Please refer to the enclosed plan.

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

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 yes

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

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play 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					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<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> (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)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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 (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"/>		
Day				Start	Finish	Outdoors	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 3)			
Tue							
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)				
Thur							
Fri			<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)				
Sat							
Sun							

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music 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					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music 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					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

G

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

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>			
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)			Indoors
			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 the provision of facilities for making music</u> (please read guidance note 4)			
Wed						
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Fri						
Sat						
Sun						

J

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

K

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

L

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			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
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					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) The premises will be open for licensable activities without limit.		
Mon	00:00	00:00			
Tue	00:00	00:00			
Wed	00:00	00:00			
Thur	00:00	00:00			
Fri	00:00	00:00			
Sat	00:00	00:00			
Sun	00:00	00:00			
			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)		
			N/A		

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

Name ALI KELES	
Address 269 FORE STREET, LONDON	
Postcode	N18 2TY
Personal Licence number (if known) LN/201000115	
Issuing licensing authority (if known) LONDON BOROUGH OF ENFIELD	

N

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.

O

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) The premises will be open without limit.
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	
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)			

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

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

The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

PLEASE SEE ATTACHED CONTINUATION SHEET

b) The prevention of crime and disorder

A digital CCTV system must be installed in the premises complying with the following criteria: (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time, and place of any image; (7) Provide good quality images – colour during opening times; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) Police will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

PLEASE SEE ATTACHED CONTINUATION SHEET

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H₂O and CO₂), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually.

All emergency exits shall be kept free from obstruction at all times.

PLEASE SEE ATTACHED CONTINUATION SHEET

d) The prevention of public nuisance

All customers will be asked to leave quietly.

Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

PLEASE SEE ATTACHED CONTINUATION SHEET

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 21 for photographic ID such as proof of age cards, the Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

The Challenge 21 logo and posters will be displayed at the premises.

All staff will be trained for UNDERAGE SALES PREVENTION regularly.

A register of refused sales shall be kept and maintained on the premises.

PLEASE SEE ATTACHED CONTINUATION SHEET


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if 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 CONVICTION TO A FINE UP TO 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	21SEPTEMBER 2011
Capacity	Agent for the Applicant

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)

Jun Simon
 ADA Group
 167 Stoke Newington Road

Post town	LONDON	Post code	N16 8BP
Telephone number (if any)	0845 200 8424		

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

[REDACTED]
London
[REDACTED]
[REDACTED]
[REDACTED]

Katie Tomashevski
The Licensing Support Team
Public Protection
222 Upper Street
London
N1 1XR

Dear Ms Tomashevski

WK/111233432
LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE
RE: ROHAT'S FRUIT BASKET, 93a STROUD GREEN ROAD, LONDON N4
3PX

Thank you for your letter notifying me of the above licence application. I am writing to submit a formal representation in opposition to this application.

I am resident at [REDACTED] and have been since 1998. My [REDACTED] premises. [REDACTED] on to Stroud Green Road, and is accessed through the service road behind these premises between [REDACTED]. As such **I live in the vicinity of the premises.**

My concern about this application is based on **the prevention of crime and disorder, public safety and the prevention of public nuisance.**

There is an existing problem with street drinkers who use this unadopted service road and the narrow staircases leading to the flats to consume alcohol purchased from local suppliers. This can be intimidating, especially when drinkers are seated blocking the staircase to my flat. There is also nuisance in that the refuse of their drink containers is usually left behind, contributing to the problems which officers and members should note the Environmental Health Department of Islington Council have reported and currently seek to address. There is also a serious problem with the use of the service road as a toilet convenience by drinkers which is detrimental to environmental health, especially as food premises back on to the service road at ground level. This is distressing to residents and undermines the quality of life which we enjoy.

I appreciate that Rohat's Fruit Basket has an existing licence to sell alcohol within regular hours (indeed, I have occasionally bought wine or beer from them myself for home consumption). It is my belief, however, that granting a 24 hour licence will further encourage and enable consumption in the service road and exacerbate the

existing nuisance and detriment to perception of safety. The premises would become a magnet for those who need to drink at irregular night hours and it is likely that some may choose the service road either to consume their purchases or to relieve themselves if they have already been drinking. This would make returning home late at night alarming and unpleasant.

Additionally, late night alcohol purchase is usually associated with rowdy behaviour and lack of consideration to others by groups who are already drinking. I am concerned that the extended licence may lead to greater noise and disturbance at the Stroud Green Road front of the property and drunken arguments, rowdy singing or sexual activity in the service road, both of which would disturb the sleep of the residents.

I hope that the licensing committee will give serious attention to these concerns.

I should be grateful if you would keep my name and address confidential as part from my concern at this licence application, I wish to remain on good terms with this business as a customer and neighbour.

Yours sincerely



Nash, Rosemary

From: Love, Douglas
Sent: 10 October 2011 11:34
To: 'info@adagroup.org.uk'
Cc: Licensing
Subject: f.a.o. Jun Simon, re Rohat's Fruit Basket, 93a Stroud Green Road, N4 3PX

Attachments: Representations.doc



Representations.do
c (88 KB)

Dear Mr Simon,

Please find representations from Trading Standards re the above business. These are made following a meeting with the applicant and the existing premises licensee at these offices last week.

I would welcome prior agreement regarding the conditions to expedite the hearing, but in any event I would want the Sub-Committee to hear the evidence regarding the change of ownership of the business, so that they can satisfy themselves that it is genuine.

Kind regards,

Doug Love
Islington Trading Standards

020 7527 3874



ISLINGTON

PUBLIC PROTECTION DIVISION

Trading Standards
222 Upper Street
London N1 1XR

Tel: x 3874
E-mail: doug.love@islington.gov.uk

Please reply to: Doug Love

MEMO TO:

**LICENSING TEAM
222 UPPER STREET**

Our Ref:
Your Ref:
Date: 10/10/2011

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Rohat's Fruit Basket, 93a Stroud Green Road, N4 3PX

The application for a licence for the above premises has been examined by the Trading Standards Section. Since receiving the application I have spoken with the applicant, Mr Ali Keles and the outgoing licensee, Mustafa Danisan, who I understand will sell the business to Mr Keles and have no further part in the business should this application be granted. I wish to make the following representations as I have concerns over the steps to prevent crime and disorder and to protect children from harm outlined in the application.

1. Enforcement action

1.1 In June 2011 Trading Standards and HMRC officers visited Rohat's Fruit Basket at 93a Stroud Green Road and seized a very large quantity of illicit alcohol (ie. non-duty paid or counterfeit alcohol). Trading Standards have applied for a licence review which was adjourned on 26th September and is likely to be scheduled to be heard at the same Licensing Sub-Committee as this application.

1.2 The business has made two sales of fireworks to underage children in 2008 and 2009.

2. Trading Standards' concerns

2.1 Both the applicant and existing licensee have verbally confirmed that this is a genuine transfer of ownership and not merely an attempt to undermine the review process. If evidence is provided to show that this indeed is the case, then Trading Standards would not object to the new application in principle, subject to the agreement of a number of conditions.

2.2 Trading Standards have done a lot of work recently to ensure that Islington off licences do not supply alcohol to underage customers or supply illicit alcohol (ie. non-duty paid or counterfeit alcohol) and to detect those who do.

2.3 Between April 2008 and March 2011 there were 106 sales of alcohol to underage volunteers working with Trading Standards from 399 attempts – over one in four.

2.4 In the last year Trading Standards have started looking for illicit alcohol and have found some in over 80% of off-licences visited. Illicit alcohol is supplied to the shops by organised crime groups, often through direct 'door-to-door' selling.

2.5 Each instance of selling alcohol to an underage person or possessing illicit alcohol is an offence.

3. Proposed steps to prevent crime and disorder and to promote the protection of children from harm

3.1. Trading Standards believes the addition of the following conditions to the licence to reflect current best practice will ensure that the possibility of further sales to minors or supply of smuggled goods is minimised.

- No alcoholic goods will ever be purchased from sellers calling to the shop.
- The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
- No spirits in re-sealed cases will be purchased.
- Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
- A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
- An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
- If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.
- The licensee shall adopt the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
- The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
- The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards for example proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
- The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.

3.2 In addition we request the following condition be added, in the knowledge that this is already the confirmed intention of the applicant and existing licensee:

- Mustafa Danisan, the previous premises licensee, will have no role in the new business trading at these premises.

3.3 We believe these representations are specific and proportionate to the known trading characteristics of this retail sector and are consistent with the Islington Council Statement of Licensing Policies 32 and 39.

Doug Love
Principal Consumer Services Officer

Tomashevski, Katie

From: Don.Stewart@met.pnn.police.uk
Sent: 11 October 2011 11:06
To: info@adagroup.org.uk; Tomashevski, Katie; Williams, John
Cc: Robin.Clark@met.police.uk; Love, Douglas
Subject: Rohats Fruit basket - Police representations

Attachments: NEWAPPL.doc



NEWAPPL.doc (38 KB)

<<NEWAPPL.doc>>

Jun

With regards to the reduction of the sale of alcohol hours this was agreed verbally by Mr Keles at our meeting on 6th October. We have also asked for the current licence if not revoked to be surrendered prior to the new licence coming into force, this was also agreed .

If police reps are acceptable to your client please revert and I will withdraw my reps on receipt of your confirmation.

Regards

Not Protectively Marked

Don Stewart PC115NI
Licensing Officer
Alcohol Violence Reduction Office

* Phone: 02074210194 or 0207 527 2359
Internal; 20194/20248
Fax ; 02074210138
* E-mail: Don.Stewart@met. police.uk
* Address: Islington Police Station
2 Tolpuddle Street
Islington
London N1 0YY

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Your reference:

Our reference: Licensing/NI

Date: 20-Oct-11

Ada Group
167 Stoke Newington Road
London
N16 8BP



Metropolitan Police Service
Islington Police Station
2 Tolpuddle St
London N1 0YY

Tel: 020 7 421 0194

Fax: 020 7421 0138

Email: NI_Licensing@met.police.uk

RE: Rohat's Fruit Basket , 93A Stroud Green Road, N4 3PX

The application for a new premise licence under the Licensing Act 2003 for the above premises has been examined and the following representations are made in pursuance of the prevention of crime and disorder element of the LA 2003: -

A digital CCTV system shall be installed, operated and maintained inside and outside the premises [subject to planning permission] in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. A working copy shall be supplied free of charge to a Police Officer within 24 hours of any request to assist in the investigation of a crime or apprehending or prosecuting an offender. It is the responsibility of the premise to download any recording requests.

Incident Book to be maintained and checked and signed weekly by DPS.

The sale of alcohol hours to be reduced to 0800-2300 daily. [Verbally agreed by applicant on 6/10/11]

Current Licence No 113239/2764 to be surrendered prior to new licence coming into force. [Verbally agreed by applicant on 6/10/11]

Police believe that these representations are relevant and proportionate to the licence application, and would wish to see them as conditions on the licence should it be granted.

Don Stewart PC115NI
Licensing Officer Islington Police

Suggested conditions of approval consistent with the operating schedule

1. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
2. The licensee shall ensure that appropriate fire safety procedures are in place including fire extinguishers, fire blanket, internally illuminated fire signs, smoke detectors and emergency lighting. All fire safety equipment shall be tested by qualified personnel annually.
3. All emergency exits shall be kept free of obstructions at all times.
4. All customers shall be asked to leave quietly.
5. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
6. The licensee shall adopt the Challenge 21 and the BII National Standards Proof of Age Scheme
7. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
8. The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards
9. The licensee shall ensure that all members of staff shall be trained to make customers aware of the laws regarding sales or purchase of alcohol on behalf of children and this training shall be undertaken on a regular basis.

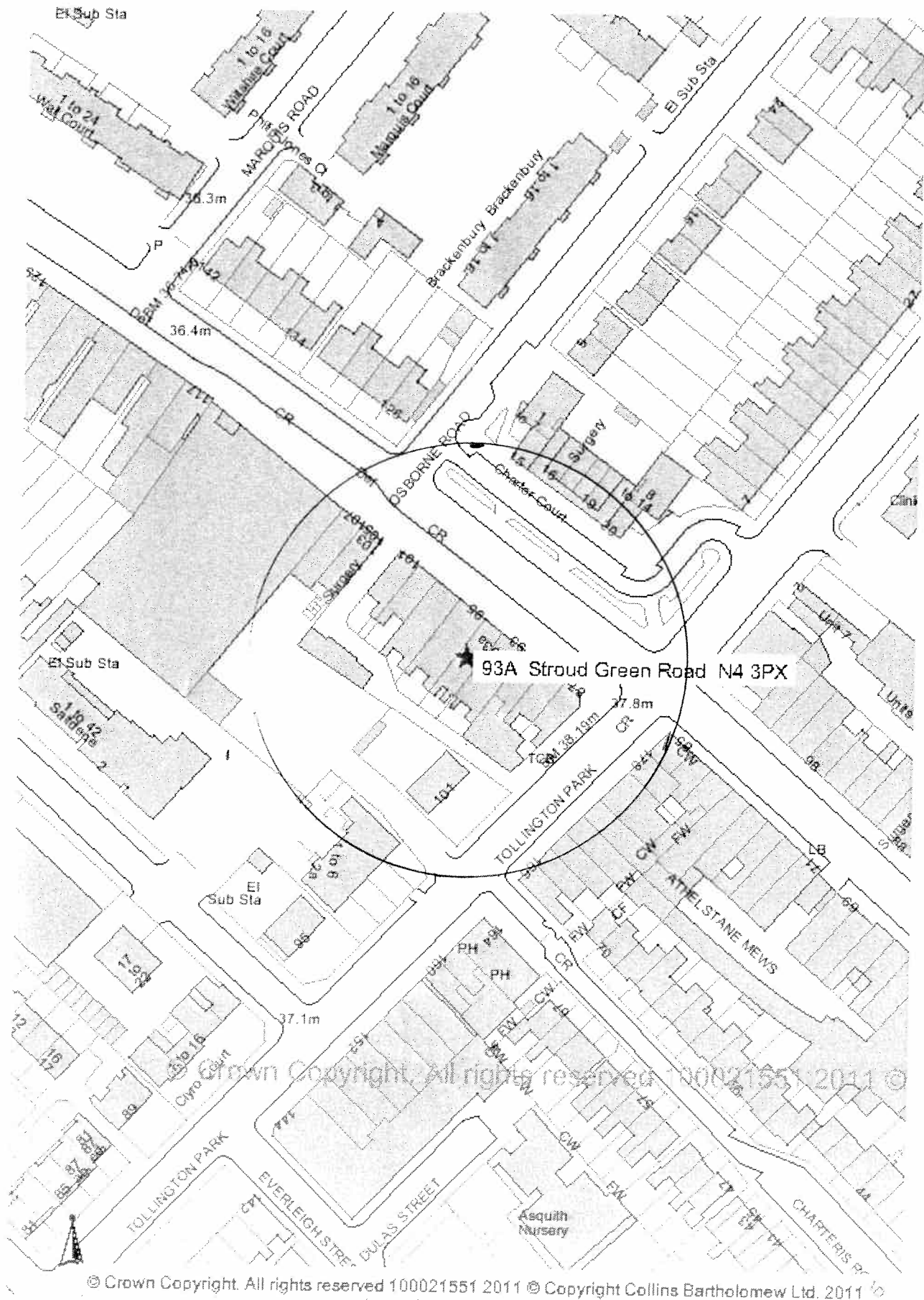
Suggested conditions of approval recommended by Police

1. An incident book shall be maintained, checked and signed weekly by the DPS.
2. The current premises licence (number 113239/2764) shall be surrendered prior to any new premises licence that might be granted coming into force.

Suggested conditions of approval recommended by Trading Standards

1. No alcoholic goods will ever be purchased from sellers calling to the shop.
2. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
3. No spirits in re-sealed cases will be purchased.
4. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
5. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
6. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
7. If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.

8. The licensee shall adopt the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
9. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
10. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards for example proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
11. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.
12. Mustafa Danisan, the previous premises licensee, will have no role in the new business trading at these premises.



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