



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	8 March 2012	B4	Hillrise

Delete as appropriate	Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION
RE: ANVERS CONVENIENCE STORE, 89-91 HOLLAND WALK, LONDON N19 3XU**

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 08:00 until 23:00 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;
Appendix 2: representations;
Appendix 3: suggested conditions and map of premise location.

- 3.2 The Licensing Authority has received representations from Noise Team, Trading Standards and the Police.
- 3.3 The premises is currently licensed for the sale of alcohol for consumption off the premises Monday to Sundays from 08:00 to 23:00 Monday to Saturday and 10:00 to 22:30 on Sunday. This licence is currently the subject of a review (see details below)
- 3.4 Licensing History of the premises:
- i) On 1 July 2005 an application was made to convert the alcohol licence to a Premises Licence.
 - ii) On 18 May 2009 the Licensing Sub Committee (LSC) suspended the premises licence for a month following a review by Trading Standards following sales to under age children at the premises.
 - iii) On 15 September 2011 illicit alcohol was seized at the premises and then on 19 November 2011 alcohol was sold to an under age person during Trading Standards operation. On 9 December 2011 Trading Standards wrote to the licensees to ask for invoices for the wine. Nothing was received.
 - iv) Instead of providing the requested information requested (above) this current application was received for a new premises licence. It is believed that this application was made in anticipation of the current licence being revoked.
 - v) Mr Remzi Celik submitted a new premises licence application on 5 January 2012 to sell alcohol off the premises 08:00 to 23:00 Monday to Sunday.
 - vi) Trading Standards have opposed this application because there is no clear change of management from the current licensee. Mr Remiz Celik is the brother of one of the current licensee Miss Melek Celik.
 - vii) Representations received from Noise Team but the licensee agreed to the suggested conditions so these representations have been withdrawn.

4. Planning Implications

No restrictions regarding the hours or class use.

5. 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

James Gibbons
Service Director – Public Protection

Date

28/2/12

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Katie Tomashevski

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Fax: 020-7527-3057

E-mail: Katie.Tomashevski@islington.gov.uk

**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 Mr Remzi Celik

(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 Avers Convenience Store 89-91 Holland Walk			
Post town	London	Post code	N19 3XU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£20750

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)

ISLINGTON LICENSING AUTHORITY	
Date	5/1/12
Cash/Cheque	10092
Receipt Number	50390
Received By	ANAD.

- 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 Celik			First names Remzi		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		80 Barclay Road			
Post Town	London			Postcode	N18 1EQ
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
0	2	0 2 2 0 1 2

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

Day	Month	Year

Please give a general description of the premises (please read guidance note 1)
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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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)			Will the performance of a play 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					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films 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 exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

C

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

D

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place 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					
Thur			<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)		
Fri					
Sat			<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)		
Sun					

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)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<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)	
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"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur				
Fri			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 (please read guidance note 5)	
Sat				
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					
Thur					
Fri			<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)		
Sat					
Sun			<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)		

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	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
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) N/A		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		

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

Name Mustafa Polat	
Address 12 Garrett House The Guinness Trust Estate Stamford Hill London	
Postcode	N16 5QJ
Personal Licence number (if known) LBH-PER-T-0657	
Issuing licensing authority (if known) London Borough of Hackney	

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)
 N/A

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) N/A
Day	Start	Finish	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) N/A
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	23:00	
Sat	08:00	23:00	
Sun	08:00	23:00	

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)

b) The prevention of crime and disorder

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.

All instances of crime and disorder shall be reported to the police.

An incident book shall be used to record all instances of public disorder.

c) Public safety

All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.

d) The prevention of public nuisance

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.

e) The protection of children from harm

To protect the children from harm we have following steps taken

- 1- the premises are effectively and responsibly managed;
- 2- provision of a sufficient number of people employed or engaged
- 3- appropriate instruction, training and supervision of those employed or engaged
- 4- The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and 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.
- 5- A register of refused sales shall be kept and maintained on the premises.


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	5 January 2011
Capacity	Authorised Agent

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)

Licensing Department
NARTS
55 Stoke Newington High Street

Post town	London	Post code	N16 8EL
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Telephone number (if any)	020 7241 3636
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If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@act2003.com

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both 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.



ISLINGTON

PUBLIC PROTECTION DIVISION

Trading Standards
222 Upper Street
London N1 1XR

REP 3
Appendix: 2

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: 01/02/12

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Avers Convenience Store, 89-91 Holland Walk, N19 3XU

I have examined the application for a licence for the above premises on behalf of the Trading Standards Section and I have also met with the applicant. I wish to make the following representations as Trading Standards 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 The shop currently at this address has had a number of issues of non-compliance with Trading Standards issues over the years, which have resulted in Trading Standards applying for two reviews – one was heard in May 2009 and one has not yet concluded.
- 1.2 In the application for the ongoing review, Trading Standards asked for the licence to be revoked and up to the time of writing, the licensees have not attempted to provide any evidence of amended practices that may encourage this recommendation to be changed.

2. Trading Standards' concerns

- 2.1. The applicant is the brother of one of the current licensees, although he has told me he has not had a hand in running the business to this point.
- 2.2. The operating schedule outlined in the application does not comprehensively cover the areas where the existing business has been found to be non-compliant in the past. Notably, there are no actions outlined which will help prevent future sales of illicit alcohol.
- 2.3. As Mr Celik is related to one of the current licensees I feel that it is particularly incumbent upon him to show how the business will be improved under him as a licensee. Should the applicant fail to do this it would, I suggest, not allow the Sub-Committee to grant the licence without the risk of undermining the review process.

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

- 3.1. The following conditions have been discussed with the applicant and there has been an indication that he is willing to accept them:
 - 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 training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. 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.

4. Conclusion

- 4.1 I do not believe it would be just to argue blindly that the relative should never replace a licensee who has failed to run a licensed business in a professional and complaint manager. However, I also believe that where a new applicant is related to such a licensee, it is reasonable to expect evidence that the shop will be run in a different manner before the Committee can be reasonably satisfied of the applicant's desire and ability to be a responsible licensee before they grant a premises licence application.

I 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

REP 4

Your reference:

Our reference: Licensing/NI

Date: 7-Feb-12

NARTS
55 Stoke Newington High Street
N16 8EL



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: Avers Convenience Store, 89-91 Holland Walk, N19 3XU

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.

Premises to adopt BII Challenge 25 The National Proof Of Age Standards Scheme.

Incident/Refusals book to be completed and checked and signed weekly by the DPS.

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

c.c. Islington Council Licensing Team

KEY 5

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Mark Rutherford**..... URN:

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Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: **Police Officer 183858**

This statement (consisting of: ... **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: **7th February 2012**

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the Safer Neighbourhood Police Sergeant for Hillrise ward in Islington. I write this statement to assist the hearing decide upon a licensing application relating to 89-91 Holland Walk, N19 this is a shop called Goldstar and will be referred to a such later in my statement.

Upon starting with the team I was briefed by the previous Sergeant and the current team members who have been working this ward for at least one year and some for five years. I was informed there had been long standing issues with a gang known as the "Busy Block" who loiter on the Elthorne Estate causing anti-social behaviour and intimidate residents by their presence. Currently many member of this gang are on police bail for the murder of Andrew JAIPaul and have a history of carrying knives and other violent behaviour.

Since starting patrols across this ward in October 2011 on several occasions I have personally encountered members of this gang loitering directly outside Goldstar 89-91 Holland Walk, N19, this is in the centre of the Elthorne Estate. The youths who are aged from 15 years old to 24 years are often drinking spirits, usually brandy, from small plastic cups. The group usually numbers more than ten persons who are very loud and require positive policing to move on. Officers have used the designated public places order to make alcoholic seizures. However there are inherent risks when the officers are outnumbered by a potentially violent group and assistance is many minutes away. I have spoken to the staff in the Goldstar and request they call police when the youths are outside, I have informed them of the non-urgent police number "101" and provided the team mobile number. To date I have not received a call from the premises.

I have received emails from residents outlining many occasions when a large group of youths has been at this location drinking and causing a nuisance. One resident stated that it is a regular occurrence, particularly Friday and Saturday evenings but that once the shop closes they leave. They further mention that the shop staff stand with the youths chat with them and smoke cigarettes. Residents report empty bottles and cans being discarded outside the shop. I have witnessed empty brandy bottles and larger cans when I patrol in the morning evidencing

Signature: Signature witnessed by:

Continuation of Statement of **Mark Rutherford**

the previous evening's activities.

On 23rd November 2011 at about 3pm officers from my team saw members of the gang loitering outside the Goldstar, Holland Walk N19 with a folding pedal cycle. Enquiries revealed this pedal cycle was stolen; two of the youths were arrested for handling stolen goods.

On 6th January 2012 officers saw a large group directly outside the Goldstar and asked them to move on. They did so but one youth returned and went in the shop to collect his mobile phone which was behind the counter charging. This would suggest that the shop staff are not deterring the youths from loitering but actively encouraging them.

This group of youths like to make rap style videos and post them in social media internet sites. I have viewed some of these videos and some of the lyrics are very intimidating, using offensive words and references to using guns and knives. They clearly show they are within the Elthorne Estate area and some youths can be seen drinking from bottles of brandy.

Since 14th January 2012 the Goldstar has not been selling alcohol with the screens pulled down over the alcohol sales counters. Residents report that in this time there has been no large group of youths gathering in the area.

I firmly believe that a refusal of this application will assist reduce anti-social behaviour within the Elthorne estate and improve the quality of life for those resident in close proximity to this shop.

Signature: Signature witnessed by:

Suggested conditions of approval consistent with the operating schedule

1. 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. 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.
2. All instances of crime and disorder shall be reported to the police.
3. An incident book shall be used to record all incidents of public disorder.
4. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
5. Prominent, clear and legible notices shall 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 premises shall be effectively and responsibly managed.
7. The licensee shall ensure there are a sufficient number of employees to manage the premises.
8. The licensee shall carry out appropriate instruction and training for all employees.
9. The licensee and staff shall ask persons who appear under the age of 25 for photographic identification such as proof of age cards, citizen card, photographic driving licence, passport or HM Forces card that bear the photograph and date of birth of the bearer.
10. A register of refused sales shall be kept and maintained on the premises.

Suggested conditions of approval recommended by Trading Standards

11. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
12. No spirits shall be purchased in a resealed box.
13. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
14. 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.
15. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
16. 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.
17. If any spirits bought by the business 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.
18. The licensee shall adopt the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
19. 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 training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff.

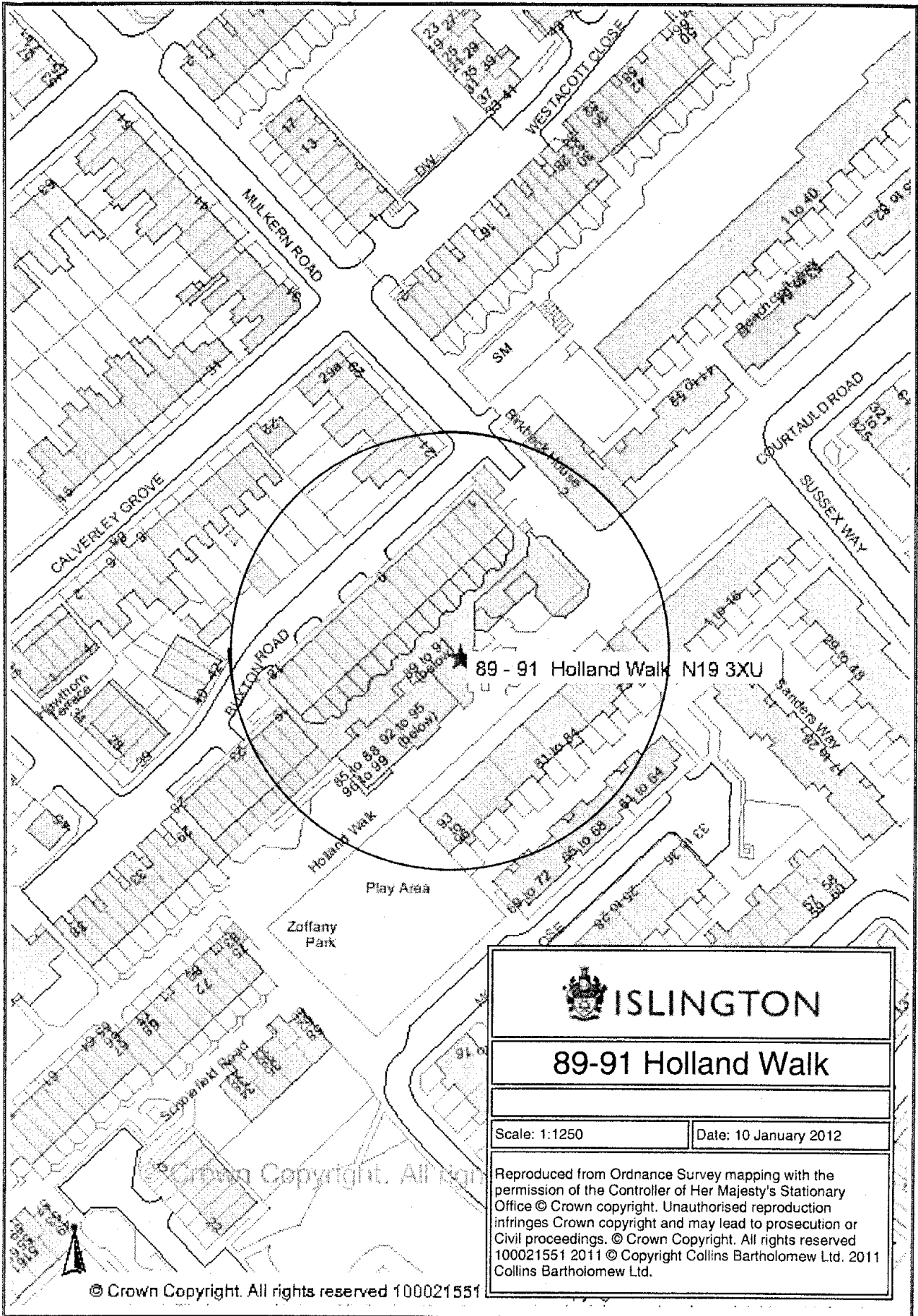
20. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age: that is proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
21. 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.

Conditions of approval recommended by the Police


22. CCTV shall be installed, operated and maintained inside and outside the premises [subject to planning permission] in agreement with the Police. The system will enable 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 premises to download any recording requests.
23. Premises to adopt BII Challenge 25 the National Proof of Age Standards Scheme.
24. Incident/Refusals book to be completed and checked weekly by the DPS.

Conditions of approval recommended by the Noise Team (accepted)

25. No rubbish including bottles will be moved, removed or placed in outside areas on Sundays or Bank/Public Holidays and between the hours of 21:00 and 08:00 other days of the week.
26. No delivers on Sundays or Bank/Public Holidays and between the hours of 21:00 and 08:00 other days of the week.



89 - 91 Holland Walk N19 3XU

 ISLINGTON	
89-91 Holland Walk	
Scale: 1:1250 Date: 10 January 2012	
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