



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	23 May 2013	B1	Highbury West

Delete as appropriate	Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
RE: HOLLOWAY BEST KEBAB, 326 HOLLOWAY ROAD, LONDON, N7 6NJ

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to allow:
 - i) The playing of recorded music and from 11:00 until 05:00 Mondays to Saturdays and from 11:00 until 03:00 on Sundays,
 - ii) the sale of alcohol, for consumption on or off the premises, from 11:00 until 05:00 Mondays to Saturdays and from 11:00 until 03:00 on Sundays,
 - iii) the provision of late night refreshment from 23:00 until 05:00 on Monday to Saturday, and on Sundays from 23:00 until 03:00.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.2 To consider the representation from the Police in the light of the revised Secretary of State Guidance to Local Authorities issued on 25th April 2012 namely:
 The Licensing Authority should accept all reasonable and proportionate representations made by the Police unless the Authority has evidence that to do so would not be appropriate for the promotion of the Licensing Objectives.

- 2.3 To consider that this address is in the Holloway and Finsbury Park Saturation or “Cumulative Impact Policy” of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.
- 2.4 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. conditions recommended by responsible Authorities (see appendix 3);
 - iii. 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 2a: name & address details of those persons making representations;
Appendix 2: representations;
Appendix 3: suggested conditions and map of premise location.

- 3.2 The Licensing Authority has received 20 letters of representation, including representations from the Metropolitan Police, Licensing Authority, Public Health Authority, Council’s Noise Team, 13 local residents, and 3 property owners.
- 3.3 For your information the premises previously held a licence for the same hours. This licence was in place from 27 July 2006 until it was surrendered by the previous licence holder on 22 August 2012.

1. Planning Implications

- 4.1 None.

2. Conclusion and reasons for recommendations

- 5.1 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

Date

14.5.13

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 7527 3031

Fax: 020 7527 3430

E-mail: licensing@islington.gov.uk

WR/201305766



ISLINGTON

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.

KT
JW?
11/3/13
OK KWT
11 March

I/We MANSUR DUZGUN
(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 <p style="text-align: center;">326 HOLLOWAY ROAD</p>			
Post town	ISLINGTON, LONDON	Post code	NT 6NJ

Telephone number at premises (if any)	0207 619 9988
Non-domestic rateable value of premises	£ 13 750 pa

ISLINGTON COUNCIL LICENSING			
Date	11/3/13	Fee Paid	190
Cherque Number (please circle)	100068		
Receipt Number	0663070		
Received By	JW		

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 DUZGUN			First names MANSUR		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		326 HOLLOWAY ROAD			
Post Town	ISLINGTON, LONDON		Postcode	N7 6AT	

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
08	04	2013

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)
THE PREMISES TRAD AS A KEBAB RESTAURANT WITH TAKE AWAY. THERE ARE AROUND 45 SEATS, WITH THE TOILET AND KITCHEN AREAS ARE AT THE REAR OF THE PROPERTY. THE ALCHOL WILL BE KEPT IN LOCKABLE ~~FRIGES~~ FRIDGES BEHIND THE SERVING AREA. THE PREMISES PREVIOUSLY HELD A VERY SIMILAR LICENCE

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 checked="" 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) | <input checked="" type="checkbox"/> |
| Supply of alcohol (if ticking yes, fill in box M) | <input checked="" type="checkbox"/> |
| In all cases complete boxes N, O and P | |

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	05:00	Please give further details here (please read guidance note 3) MUSIC TO BE PLAYED IN RESTURANT AREA		
Tue	11:00	05:00			
Wed	11:00	05:00	State any seasonal variations for the playing of recorded music (please read guidance note 4) NONE		
Thur	11:00	05:00			
Fri	11:00	05:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) NONE		
Sat	11:00	05:00			
Sun	11:00	03:00			

L

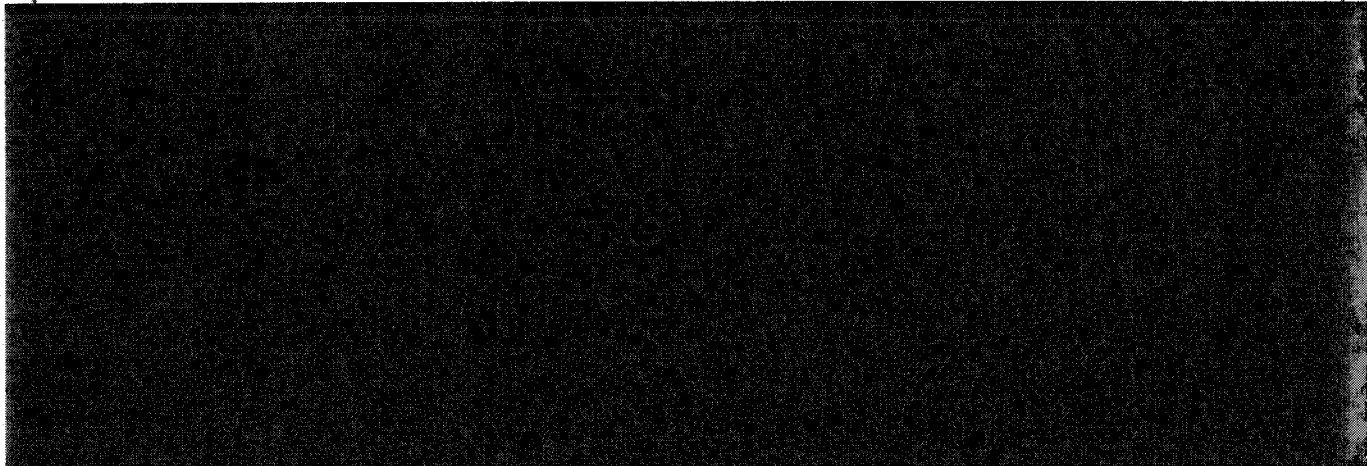
Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) TO SERVE FOOD ON AND OF THE PREMISES IE TAKE AWAY AND EAT IN		
Mon	23:00 HRS	05:00 HRS			
Tue	23:00 HRS	05:00 HRS			
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	23:00 HRS	05:00 HRS	NONE		
Thur	23:00 HRS	05:00 HRS			
Fri			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 (please read guidance note 5)		
	23:00 HRS	05:00 HRS	NONE		
Sat	23:00 HRS	05:00 HRS			
Sun	23:00 HRS	03:00 HRS			

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 type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	11:00 HRS	05:00 HRS				NONE		
Tue	11:00 HRS	05:00 HRS						
Wed	11:00 HRS	05:00 HRS						
Thur	11:00 HRS	05:00 HRS	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)					
Fri	11:00 HRS	05:00 HRS						
Sat	11:00 HRS	05:00 HRS	NONE					
Sun	11:00 HRS	03:00 HRS						

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

Name CEM DUZGUN



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)	
Day	Start	Finish	N/A	
Mon	11:00 HRS	05:00 HRS		
Tue	11:00 HRS	05:00 HRS		
Wed	11:00 HRS	05:00 HRS		
Thur	11:00 HRS	05:00 HRS		
Fri	11:00 HRS	05:00 HRS		
Sat	11:00 HRS	05:00 HRS		
Sun	11:00 HRS	05:00 HRS		
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

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)

STRICT IMPLEMENTATION OF CHALLENGE 25 POLICY
EVERY SALE/SUPPLY OF ALCOHOL UNDER THE PREMISES
LICENCE SHALL BE MADE, OR AUTHORISED BY A PERSON
WHO HOLDS A PERSONAL LICENSE
CCTV IN OPERATION 24 HRS. RECORDING & MONTHLY STORING SYSTEM
JOINING RETAILWATCH SCHEMES & KEEPING IN TOUCH WITH THE
POLICE

b) The prevention of crime and disorder

TRAIN ALL STAFF & DEVELOP THE RIGHT ATMOSPHERE WITH CUSTOMERS
CCTV INSTALLED INSIDE AND OUTSIDE. JOIN RETAILWATCH SCHEMES
KEEP A CLOSE WATCH ON ALL CUSTOMERS & KEEP CLEAR VIEW OF PREMISES
LIAISE WITH THE LOCAL POLICE
ALL PURCHASES MADE FROM WHOLESALERS/CASH AND CARRYS ONLY
AT LEAST THREE MEMBERS OF STAFF TO BE ON DUTY FROM 23:00
HOURS

c) Public safety

HEALTH & SAFETY RISK ASSESSMENTS TO BE CARRIED OUT REGULARLY
INSTALLATION OF APPROPRIATE & ADEQUATE SAFETY EQUIPMENT.
INSTALLATION OF EMERGENCY LIGHTING AND EVACUATION PROCEDURES
BE IN PLACE WITH WARNING SIGNS.
TO COMPLY WITH ALL CURRENT, FIRE AND HEALTH AND SAFETY
LEGISLATION AS REQUIRED BY THE LAW
ALL PURCHASES TO BE MADE FROM WHOLESALERS/CASH AND CARRYS
ONLY.

EXTERNAL d) The prevention of public nuisance

A MANAGEMENT POLICY IN PLACE TO TAKE INTO ACCOUNT THE
IMMEDIATE AREAS TO THE PREMISES AND CONDUCT OF THE CUSTOMERS.
NOTICE TO CUSTOMERS REGARDING CONSIDERATION FOR NEIGHBOURS.
TO MONITOR ANTI SOCIAL BEHAVIOUR BY USE OF CCTV
JOIN RETAILWATCH SCHEMES
STRICT POLICY NOT TO SERVE DRUNKEN CUSTOMERS.
CHALLENGE 25 IN FORCE ALL THE TIME

e) The protection of children from harm

STRICT IMPLEMENTATION OF CHALLENGE 25 POLICY
~~ALL CHILDREN TO BE KEPT AWAY FROM CHILDRENS CONTACTABLE
DIVERS~~

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	<i>M. Duzgün</i>
Date	8/03/13
Capacity	

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)

MR MANSUR DUZGUN
326 HOIGWAY ROAD

Post town	ISLINGTON, LONDON	Post code	N7 6NJ
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**LICENSING ACT 2003
NOTICE OF APPLICATION FOR A PREMISES LICENCE/
CLUB PREMISES CERTIFICATE**

Premises Name and Full postal address of premises

HOLLOWAY BEST KEBAB
326 HOLLOWAY ROAD
ISLINGTON, LONDON
N7 6NJ

Notice is given that MANSUR DUZGUN has applied to Islington Council for a Premises Licence or Club Premises Certificate under the Licensing Act 2003.

The proposed licensable activities are:

LATE NIGHT REFRESHMENT/ SUPPLY OF ALCOHOL TO PLAY
RECORDED MUSIC ON THE FOLLOWING

DAYS AND HOURS

MONDAY TO SATURDAY: FROM 11:00 TO 05:00

SUNDAY FROM 11:00 TO 03:00

Anyone who wishes to make representations regarding this application must write to the: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR. Representations must be received no later than

08/04/2013

The Application Record and Register may be viewed during normal office hours at the above address or at www.islington.gov.uk.

It is an offence under Section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is up to level 5 on the standard scale (£5000).



FORM OF CONSENT GIVEN BY THE PERSON WHOM THE APPLICANT WISHES TO BE THE PREMISES SUPERVISOR

I, CEM DUZGUN

[insert first names and surname of prospective premises supervisor]

hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to

MANSUR DUZGUN

[insert full name of applicant]

~~in respect of the application to convert an existing justices' licence held by the applicant /~~

where the holder of the licence has consented to the application being made by the applicant

[delete as applicable]

for HOLLOWAY BEST KEBAB 326 HOLLOWAY ROAD, LONDON
N7 6NJ

[insert name and address of existing licensed premises]

if that application is successful.

Signed

C Duzgun

Dated

8/03/2013

Williams, John

From: [REDACTED]
Sent: 14 March 2013 18:19
To: Licensing
Subject: ref WK/201305766

Dear Niall Forde,

Re: Best Kebab, 326 Holloway Road, London N7 6NJ

I would like to register my objections to the proposed premises licence as it is likely to impact negatively on me. I wish for my name, address and contact details to remain confidential.

Regards,

[REDACTED]

NB. Why was there only one letter regarding this sent to a multi-occupancy address?

Williams, John

From: [REDACTED]
Sent: 15 March 2013 14:55
To: Licensing
Subject: Holloway Best Kebab, 326 Holloway Road, N76NJ

FAO: Niall Forde, Licensing Officer

Dear Mr Forde,

I am writing in regard to the premise license application for 326 Holloway Road, N76NJ and your notification received 14th March.

I am a resident at [REDACTED]

Whilst the playing of music until 5AM is unlikely to disturb me and my fellow residents being several doors down, I am extremely concerned by the presence of loud, disordly drunken people on the street at all hours of the night. The majority of bedrooms in the property overlook Holloway Road and people leaving this venue intoxicated every day of the week until 5AM will be incredibly detrimental to sleep patterns for working professionals.

The environmental health office at Islington Council has guidlines about noise restriction after 11pm and so this application seems to run contrary to those as well.

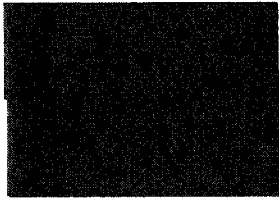
The granting of this license would cause severe nuisance to the local population and disruption. We have already have instances of drunk people ringing our doorbell repeatedly at 4AM. Having a venue so close would only increase similar occurrences.

Hoping this can be taken into consideration when reviewing this application so we may all have a good night's sleep!

Please feel free to contact me if there is any further input to this process I can provide.

With thanks,

[REDACTED]



14 March 2013
To Niall Forde
Licensing Team
Public Protection Division
222 Upper Street
London
N1 1XR

Your ref WK/201305766

Dear Sir

Your letter concerning Holloway Best Kebab, 326 Holloway Road fills me with dread.

The problem with this business for the last few years has been noise from their fume extraction column.

I have complained to them many times and called out your noise patrol unit all to no avail.

The council were not helpful and the business was totally dismissive. Nothing ever happened and it has been wonderful while they have been closed. Extraction fan noise is a huge irritant but not if it is a good system. The chicken shop next door which is a recently opened business has a quiet system.

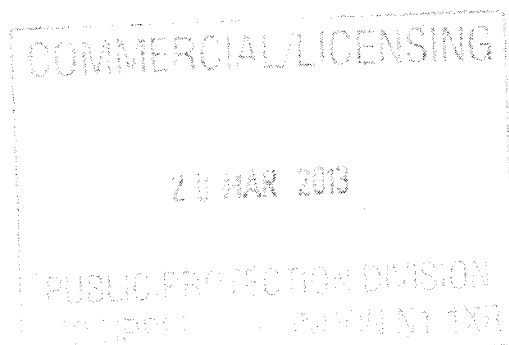
I object to the proposed hours for so called music and late eating. The fan will blast out till 5 in the morning. I can hardly express my dismay in strong enough terms.

The residential area behind these premises is really cohesive and many like us have been here for many years. Why should one little business inflict so much pain. At night you can hear the fan at least as far as the pub on the corner of Lowman Road and Annette Road (perhaps 80 yards)

They will tell you that the fans will be kept quiet but it will not happen.

Even if this licence is not granted they will open again and the noise is back. There must be standards for noise that are enforceable.

Yours faithfully



Williams, John

From: [REDACTED]
Sent: 19 March 2013 17:08
To: Licensing
Subject: Your ref: WK/201305766

Dear Sirs

I write with reference to the application for an alcohol and music license for 326 Holloway Road N7 6NJ. I live in the vicinity of this property at [REDACTED]. Although the entrance to my property is on Lowman Road, the property in fact lies above shops on Holloway Road. I am extremely concerned about this application. I object to it in the strongest possible terms on the grounds of public nuisance. I have a responsible job giving legal advice in a government department. In order to be able to do this I have to be able to think clearly and therefore need to be able to sleep properly. I am concerned that I would be deprived of sleep by the extraordinarily late playing of music for which this application seeks to gain permission. It is therefore entirely possible that should this application be approved that I would be forced to move house. In the interests of avoiding public nuisance in an area already well-provided with entertainment venues, therefore, I oppose this application. I should be grateful if you could keep me apprised of the progress of this application so that I may continue to oppose it should this be necessary.

Yours faithfully

[REDACTED]
Sent from my iPhone

REP S

Williams, John

From: [REDACTED]
Sent: 20 March 2013 00:31
To: Licensing
Subject: Representation regarding new premisses licence Holloway Best Kebab, 326 Holloway Road, London, N7 6NJ

Dear sirs/madams at Licensing Team
Public protection Division
Islington

Thank you for the information regarding the new premisses license for Holloway Best Kebab, 326 Holloway Road, London, N7 6NJ that was delivered to my building, [REDACTED]

[REDACTED] and I am extremely concerned with this information. Although Holloway Road is a busy street, it is generally quite quiet at night. Access to my flat is done from Holloway Road, but it faces the back of the building, towards a cul de sac, therefore very quiet at all times. The creation of a new venue next door with music playing all night till early hours of the morning will most certainly have an impact in the quietness that was one of my favourite features of the flat when I decided to rent it and that indeed has been one of my favourite features of it since. I have a 9 to 5 job and need to rest during the night. I have a light sleep and even light noises wake me up fairly easily. The change in licence of the next door premisses would affect my much needed rest, as well as certainly that of other people living in surrounding buildings.

Furthermore, the proximity with Arsenal Stadium already creates an increase of people and sometimes tensions in the neighbourhood on match days. The proposed next door venue would potentially be a gathering place for people after the match, unnecessarily affecting the public safety and quietness of the area, and this right next to the entrance to the building where I live.

As far as I know there are no other late night venues in the vicinity and the licensing of this one would not make sense under the negative impact it would create with the nuisance it will cause for the many people who live or work nearby.

Therefore, I ask you to please seriously consider denying the licensing of the aforementioned venue with late hours music playing and serving of alcohol.

Please keep my personal information confidential.

Thank you,
[REDACTED]

REP 6

Licensing Team
Public Protection Division
6EP
222 Upper Street
London N1 1XR

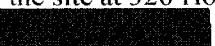


26.3.13

Your Ref: WK/201305766

Dear Mr Ford,

Re Holloway Best Kebab 326 Holloway Road, London N7 6NJ

I am writing to express my opposition to the application for an all night bar (with music) in the site at 326 Holloway Road. We live in the quiet residential street behind this venue  and the premises opens straight out onto the street behind, to our front doors effectively. Noise from the site has already caused us considerable distress (under the previous tenant) and Islington's Noise Team are aware of this issue.

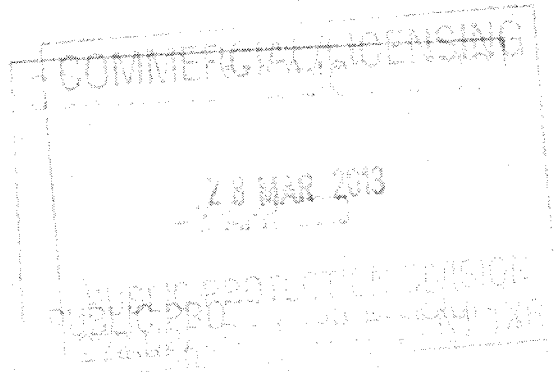
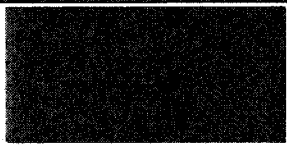
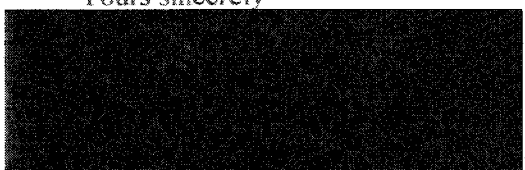
I cannot imagine how an all night bar with music could be accommodated at this site without disruption and noise to the residents all around it. Rubbish bins, disposal of bottles, customers and/or staff outside the back doors, open back door to allow air into the site, all would disturb the peace in this densely populated, quiet, residential street.

The dumping of rubbish into the cul de sac of Lowman Road from the (Holloway Road) shops backing on to it, is a well documented problem going back through the 30 years we have lived here. Our complaints have gone up to the head of street cleaning and environmental health. The landlords of these premises have no regard for the build up of mess and vermin that we have to deal with. Their back door is our front doors. The problem is evident again this week with the Best Kebab shop clearing the site straight onto the pavement behind the shop, no skip, just dumped there for the council to remove when one of us phones to complain. The disposal of bottles and food waste cannot be allowed in our residential street.

Lowman Road and Dunford Road have this year been given traffic calming measures to allow families with young children to have a safe environment to play. The possibility of a disruptive all night bar at the end of the street rather undermines the effort and money that has been invested by everyone.

Lastly, Holloway Road has a history of being an unsafe, volatile area, prone to crime. The street lights are neon blue, which I assume means a deterrent to drug takers. The last thing we need is the addition of an all night bar which encourages such activities late into the night and especially as it opens onto a quiet residential street behind, ideal for drug taking, petty crime and undesirable behaviour.

Yours sincerely





Licensing Act 2003

Representation from NHS North Central London (Islington Public Health) on behalf of health bodies providing services in Islington Holloway Best Kebab, 326 Holloway Road N7 6NJ.

I am submitting a representation against the variation application for a premises license to permit the sale of alcohol until 05:00am from the above premises between Monday and Saturday inclusive, and until 03:00am on Sundays. This representation is on behalf of health bodies in Islington, and is submitted by Islington Public Health Department, which is a responsible authority.

The impact of alcohol is particularly great in Islington with some of the greatest levels of alcohol-related problems in London, including:

- The highest rate of alcohol-specific deaths in men in London
- One of the highest rates of alcohol-related hospital admissions in London
- Significantly higher levels of alcohol-related violent crime and claimants of incapacity benefit where main medical reason for being a claimant is alcoholism

Highbury West ward seems to particularly feel the affects of alcohol-related harm and has high rates of alcohol-related ambulance callouts, alcohol-related crime and alcohol-related violent crime.

The grounds for the representation are:

- Public safety
- Crime and disorder

The relevant policies in Islington's Licensing Policy

- Policies 1 and 2: cumulative impact and saturation
- Policies 7 and 8: Licensing hours

Holloway Best Kebab is located in Highbury West ward, but is located on Holloway Road, which is on the border with Holloway ward. Holloway Road is a key thoroughfare with a large number of licenced premises.

The Council's Licensing Policy 2013-2017 has identified the area as a Cumulative Impact Area in response to the levels of alcohol-related harm in the area. The Policy also sets out the preferred hours for a restaurant or café as up to 11.00pm between Sundays and Thursdays and up to midnight on Fridays and Saturdays.

Analysis of London Ambulance data for alcohol-related ambulance pickups shows that in Islington, these peak after 11.00pm, particularly the early hours of Friday, Saturday and Sunday.

I am concerned that if this application to extend permitted hours is granted it will increase the availability of alcohol for consumption. This could lead to an increase in public nuisance, crime and disorder and impact adversely on health of both those buying and consuming the alcohol but also the health of others who come in contact with them.

The area already has sufficient capacity to meet demand of local residents and visitors and additional outlets supplying alcohol or extension of permitted hours of sale at existing premises will be detrimental to the local residents in terms of noise and disturbance in the early hours of the morning.

Alcohol and health

Alcohol misuse imposes a major preventable burden to health and the effect of this in Islington is felt across all health services. Recent analysis has estimated that in Islington the cost of hospital admissions where alcohol is an attributable factor was £7429.9k, equivalent to £39.4 per Islington resident during the financial year 2008/09¹.

There is a growing body of evidence that longer hours of sale results in significant increases in both alcohol consumption and alcohol related harm, including injury, violence and medical harm. Evidence from a number of countries indicates reducing hours of sale can have an impact on reducing problem drinking, alcohol-related violence and other alcohol-related harm.^{3,4,5,6,7}

Impact of alcohol on health in Islington

The impact of alcohol on health in Islington is particularly severe. Alcohol specific hospital admissions are those which are wholly related to alcohol (e.g. alcoholic liver disease or alcohol overdose). Islington has the second highest rate in London for hospital admissions where alcohol is the specific cause of admission. For men the

rate is also significantly worse than England, with Islington having the 24th highest rate out of 326 English local authorities.

Highbury West and Holloway Wards

Ambulance callouts

The data on alcohol-related ambulance callouts reflects where the ambulance attended, not where the individual lives, and therefore includes people who live outside the borough but who come to Islington to work, socialise, etc.

In 2011/12, there were 96 alcohol-related ambulance callouts in Highbury West ward and 157 in Holloway ward (4% and 7% respectively of all alcohol-related callouts in Islington). Local analysis indicates that there is a general trend of ambulance callouts increasing as the number of licensed premises increases. At the smaller geographical Lower Super Output Area (equal to an area of around 1,500 residents), there were 26 alcohol-related ambulance callouts in the vicinity of the Holloway Best Kebab restaurant, compared to an average of 20 across all Islington LSOAs. Across Islington, 53% of alcohol-related callouts resulted in conveying a person to hospital, and 6% resulted in assistance being given at the scene or conveyed to an NHS walk-in centre – this results in a substantial use of health service resource.

Hospital admissions

Hospital admissions for alcohol-specific conditions assess admissions occurring in areas where people live (residents), and exclude those seen in Accident and Emergency but who are then sent home. Compared to elsewhere in Islington, Highbury West has lower rates of alcohol-specific hospital admissions, whilst Holloway has above average alcohol-specific admissions. However, as discussed above, the high number of ambulance callouts is likely to reflect the area's status as major thoroughfare, with high numbers of premises attracting visitors from across other areas of the borough and outside Islington.

Conclusion

Islington experiences some of the highest levels of alcohol related harm in London and the cumulative availability of alcohol is one area that is likely to be impacting on this. There is already excellent availability of alcohol through on-licences in the area.

The rate of alcohol-related ambulance callouts in the area is higher than in the borough as a whole, indicating alcohol is having a particular impact in this part of Islington. The available data indicate that much of the alcohol-related health harm in the area is experienced by visitors to the area, as opposed to actual ward residents.

There is evidence that increased availability of alcohol, both in terms of the time period in which alcohol is available (hours of sale) and number of premises from which alcohol is available results in an increase in alcohol related harm. The effect of this is increased pressure and costs to the NHS and, ultimately, to the taxpayer. The impacts are also felt across a range of groups including the council, policing and the community as a whole.

Recommendation

NHS North Central London's Islington Public Health Department recommends that:

1. The application for an extension of permitted hours to supply alcohol is refused

References

- 1 Shepherd, J. The effectiveness of NHS contributions to violence prevention: the Cardiff Model. University of Cardiff, 2007
- 2 Baker, A., Lodge, H., Jacobson, B., Hamm, J. and Murage, P. (2012) Closing Time: Counting the cost of alcohol-attributable hospital admissions in London. London: London Health Observatory
- 3 Popova, S., Giesbrecht, N., Bekmuradov, D. And Patra, J. Hours and days of sale and density of alcohol outlets: impact on alcohol consumption and damage: a systematic review. *Alcohol and alcoholism* 2009;44(5):500-516
- 4 Newton, A., Sarker, S.J., Pahal, G.S., van den Burgh, E. and Young, C. Impact of the new licensing law on emergency hospital attendances: a cohort study. *Emergency Medicine Journal* 2007;24:532-534
- 5 Highes K, Jones L, Bellis M. Reducing harm in drinking environments factsheet. European Union 2009.
- 6 Livingstone M. et al. Changing the density of alcohol outlets to reduce alcohol related harm. *Drug and Alcohol Review* 2007; 26: 557-566
- 7 Bryden A et al. A systematic review of the influence on alcohol use of community level availability and marketing of alcohol. *Health and Place* 2012; 18(2):349-357

Williams, John

From: [REDACTED]
Sent: 07 April 2013 14:40
To: Licensing
Subject: Ref: WK/201305766 - Licensing Act 2003-Application for a new premises licence-Re: Holloway Best Kebab, 326 Holloway Road, London, N7 6NJ

From: [REDACTED]

Licensing Act 2003-Application for a new premises licence-Re: Holloway Best Kebab, 326 Holloway Road, London, N7 6NJ

Ref: WK/201305766

Dear Niall,

Thank you for letting me know about the application for a new premises licence for the Holloway Best Kebab.

I have been renting a flat for the past 5 years at the [REDACTED] just next door to the Best Kebab and I would appreciate to be still able to live without more disturbances in my flat.

I am against this application for different reasons covering the prevention of crime and disorder, prevention of nuisance and public safety:

1/ Because my flat is really next-door to the Holloway Best Kebab, I believe I will be able to hear the music playing until 5am as I am already hearing people speaking/shouting in it. That would make my nights difficult and will consequently affect my ability at work.

I have already the noise of the ventilation system from Sam's Chicken, which at least stops at 12pm and I do not want to have more nuisances.

2/ Playing music late and selling alcohol will also attract more people during the entire night in the neighbourhood, increasing the noise all along the night from people smoking, drinking and shouting in the street and also forming large intimidating groups standing in front of the building. I suspect such a licence will only increase the prevalence of crime taking place in the neighbourhood.

I am also concerned about my own safety when I will go back home late if group of drunk people are standing in front of my door.

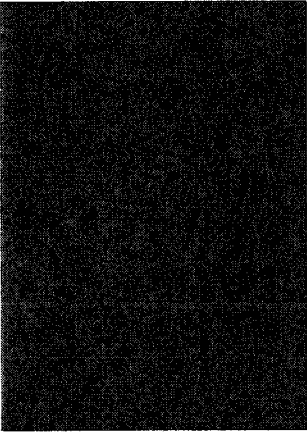
3/ Moreover, as you specified in your letter, the address of the premises is part of a Special Policy area. Giving permission to the Kebab Shop to sell alcohol and play music until 5am in the morning will break this Special Policy and will increase public nuisance and criminal risk.

I hope The Council will take the right decision to avoid such disturbance in this area.

Please would you acknowledge receipt of this email.

Please ensure that this representation remains anonymous. I do not want my address, name or contact details put on any public record/correspondence please.

Best regards,



Licensing Act 2003 representation pro-forma

Premises Name and address:	BEST KEBAB, 326 HOLLOWAY ROAD, N7
Name:	[REDACTED]
Interest:	[REDACTED]
My Address:	[REDACTED]
Email:	[REDACTED]
Telephone:	[REDACTED]

Introduction

As cited above, I am the owner of [REDACTED] I have been a resident at the flat since 2007 and have recently moved overseas for 1 year due to work and family commitments. I will be returning to live in my home at Holloway Road in November 2013.

As am currently temporarily living overseas I did not receive a letter or any specific details of the application. My neighbour informed me of the application and I have subsequently located the application on the council's website under the 'Search the Register' function. I note that the only information available online relates to the proposed hours of operation, the request to sell alcohol and play recorded music.

My OBJECTION to the licensing application is detailed below:

Public Nuisance, Crime and Disorder

This section of Holloway Road, between Loraine Road and Jackson Road is substantially more residential in nature and character than the remainder of Holloway Road. Loraine Estate to the south side contains no shops or stores and although small ground floor shops exist on the northern side, the accommodation above is almost exclusively divided into three or four residential flats. The only late night establishment within the vicinity of the subject application site is the Coronet, which is generally well run and due to its construction (a former theatre) does not allow for noise outbreak. Because of the above noted nature of this stretch of the road, there are currently few disturbances or public nuisances.

The proposal to play recorded music, within a small shop unit, would undoubtedly result in significant disturbance to the many surrounding residents. Furthermore, the proposal to be able to do so on an almost 24hr basis will surely result in many sleepless nights and justified complaints from local residents. As mentioned above, this stretch of Holloway Road is not like the core of the Town Centre north of Tollington Road or the University end between Holloway and Highbury tube stations. Noisy establishments and 24hr sale of alcohol should not be permitted here.

The extended hours of operation and permission for the consumption of alcohol on and off the property will encourage late night / early morning drinking and loitering around the premises, I fear that patrons will spill onto the street and likely create further noise nuisance. I have witnessed, while walking home along Holloway Road, other late night establishments with drunk patrons congregating outside yelling, talking loudly, urinating and generally making a nuisance of themselves – please reject this licensing application and protect the relative peace and quiet we

currently enjoy.

I note with dismay that the application does not acknowledge the real potential for public nuisance, crime and disorder or include any methods for dealing with these harmful matters.

Public Safety

The playing of recorded music and sale of alcohol will encourage loitering. Sadly it is quite common on parts of Holloway Road to see drunks harassing passers by. It has happened a few times to me and it is very intimidating, I was once even chased down the street. I believe that if this application were approved this would become a reality here as well outside our homes. It is important to note that the sole entrance to the flats above the shop units are via doors located within the shopfronts facing directly onto the street. I worry about the safety risk to residents of the flats above the subject application site and on either side who would have to move through any patrons loitering outside to get to their front doors.

Planning Application

I have searched on the council's website and cannot find any planning history that would suggest that the council has permitted a change of use for this property. A kebab shop is classified as class A5 'Hot Food Take Away' under planning regulations. The proposal to sell alcohol and play music would result in a change of use to class A4 'Drinking Establishment'. Such a change of use requires planning permission and an assessment of the impact on the locality and residential amenity.

I believe the small shop unit is just too small to be used as a 'drinking establishment' on a 24hr basis. I have noted the significant negative impacts of loitering, congregating, drunkenness on the street, public disturbance above.

I trust that you will liaise with the Planning Department about this matter and hope the Committee will consider this as part of their deliberations on this case.

I would appreciate it if someone could let me know the outcome of this application. My preferred method of contact is via email (see email address above).

Return to:

Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR
licensing@islington.gov.uk

or send by email to:

Licensing Act 2003- Representation from the Licensing Authority
Application: 618 Holloway Road

I am submitting a representation on behalf of the Licensing Authority with respect to the new application to permit licensable activities until 5am Monday to Saturday and 3am on Sundays.

The recommendation of the Licensing Authority is to refuse this application.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

The Licensing Authority is concerned that if this application is granted it will increase the availability of alcohol for consumption which could lead to an increase in public nuisance and crime and disorder.

The premises is located in the Holloway and Finsbury Park Cumulative Impact area (HFPCIA) which means that the council has determined that the area is already saturated with licenced premises and any licence applications need to be carefully examined to ensure that the proposed activities, opening hours, style of operation and management arrangements contained in the operating schedule will not add to the cumulative impact to such as extent that the licensing objectives are undermined.

Licensed premises

The HFPCI area has 219 licensed premises equating to a density of 181 licensed premises per km² more than 10 times higher than the London average of 18 per km². Sixteen of these premises have 24hr licenses.

Alcohol related crime and disorder

There were 194 recorded alcohol related crimes in the HFPCIA in 2012 equating to an average density of 161 crimes per 2 km², this was more than 9 times higher than the London average. The amount of alcohol related crime in the area has risen by 14% during the last 7 years.

There were 284 alcohol related 999 calls in the HFPCIA in 2012 equating to 235 per km², substantially higher than the Islington average of 148. Sixteen per cent of these calls occurred between midnight and 4 am.

Ambulance Call Outs

There were 319 alcohol related ambulance call outs in the HFPCIA in 2012 equating to a density 264 callouts per km², more than 7 times the London average of 35.5 per km².

Antisocial behaviour hotline calls

There were 147 alcohol related calls made to the ASB hotline in the HFPCIA equating to 122 per km², almost double the Islington average of 74 per km². Twenty per cent of these calls occurred between midnight and 4 am

Operating Schedule

The Licensing Authority expects applicants to describe how they will achieve high standards of management, so as to promote the licensing objectives, in the operating schedule. The operating schedule submitted with this variation application does not provide sufficient detail to enable the Licensing Authority to satisfy itself that the extension of hours will not add to the cumulative impact.

Licensing Policy Considerations

Licensing Policy 2 – ‘... the type of premises and their cumulative impact upon the area

The Licensing Authority has adopted a special policy relating to cumulative impact in relation to Bunhill

This special policy creates a rebuttable presumption that applications for new premises licences, that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

Licensing Policy 4- shops selling alcohol

The Licensing Authority is concerned about the adverse impact on the licensing objectives arising from the increasing numbers of shops selling alcohol for consumption off the premises. The Licensing Authority will consider restricting the number of premises and the licensing hours in locations where representations are received and that longer hours will undermine the licensing objectives.

Licensing Policy 7- Licensing Hours

The Licensing Authority supports the principle of flexibility in its approach to licensing hours and will consider the merits of each individual application however it is mindful that Islington has become saturated with late night premises selling alcohol and it is concerned about the cumulative impact that the proliferation of late night venues and retailers in the borough is having on the promotion of the licensing objectives.

Where representations are received from responsible authorities or other persons the Licensing Authority may seek to restrict hours of opening where it is appropriate to promote the licensing objectives.

Licensing Policy 9 – Operating schedules

The Licensing Authority seeks to encourage the highest standards of management in licensed premises and expects the operating schedule to describe how these standards will be achieved in relation to promoting the licensing objectives

Summary and recommendations

The Licensing Authority has considered the style and hours of operation proposed by the applicant, the management arrangements described in the operating schedule, the special considerations described in paragraphs 5, 6 & 7 of the Licensing Policy.

The applicant has not presented any evidence to indicate there will be no adverse cumulative impact if this licence is granted.

It is recommended that this application to vary the licensing hours is refused.

Janice Gibbons
Service Manager
Islington Council
Public Protection Division
222 Upper St

London N1 1XR

4 April 2013

REP 11

Your
Our Licensing/NI
Date: 18/03/2013



326 Holloway Rd
N7 6NJ

**METROPOLITAN POLICE
SERVICE**
Steve HARRINGTON PC425NI
Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY

Telephone: 020 7421 0248
Facsimile: 020 7421 0138
Email: ni_licensing@met.police.uk

Date 18.03.13

Dear Sir

Re: 326 Holloway road, N7 6NJ

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.

The venue is situated in the 'Holloway road and Finsbury park stress area', a locality where this is traditionally high crime and disorder and there are concerns that this application will cause further policing problems in an already demanding area.

It is also noted that the hours applied for are outside the guideline hours stated in the councils Licensing policy.

It is for these reasons that we are objecting to the application.

Should you wish to discuss the matter further please contact your details on **0207 421 0194/0248** or via email, ni_licensing@met.police.uk

Yours sincerely,

Steve Harrington PC 425NI
Islington Police Licensing Team

REP 12



KBSP Partners LLP
CHARTERED ACCOUNTANTS

Harben House · Harben Parade · Finchley Road · London NW3 6UJ
020 7586 3841 · 020 7483 2079 · admin@kbsp.co.uk

JL\SGB\CA3404\3

3 April 2013

SENT BY EMAIL ONLY
licensing@islington.gov.uk

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

Dear Sirs,

REF: WK/201305766
APPLICATION FOR A NEW PREMISES LICENCE AT 326 HOLLOWAY ROAD, LONDON, N7 6NJ

We write as Accountants on behalf of Camure Limited which owns properties at 298, 300, 302, 304 & 330 Holloway Road. These are a mixture of commercial properties and residential flats above the commercial shops.

In our opinion, the granting of a licence to such late hours is a risk of crime and disorder and public nuisance and we would therefore specifically write to oppose the grant of a new licence on the ground of prevention of crime and disorder and the prevention of a public nuisance.

It cannot be reasonable that music is played and alcohol sold until 5am in the morning during the week and until 3am at weekends. This is likely to significantly affect people's perception of the area as a safe residential place to live and would therefore significantly affect our ability to generate rental income from the properties owned by the Company.

Yours faithfully,

JULIAN LANDAU
ACCOUNTANT FOR AND ON BEHALF OF CAMURE LIMITED

Members: David Stockman FCCA CTA · Julian Landau FCA · Michael Marks FCA · Terry Curzon FCA · Trevor Berkeley FCA · Stardata Business Services Ltd
Associates: Barry Berg · Bhajan Singh FCCA · Chris Georghiadou FMAAT MCMI · Fowad Jan FCCA · Consultant: John Simmons FCA
Registered in England and Wales · Firms No: 001759 · Registered Office: 100
Registered to carry on audit work and regulated for a range of investment business activities by the Institute of Chartered Accountants in England and Wales

Williams, John

From: [REDACTED]
Sent: 29 March 2013 07:44
To: Licensing
Subject: OBJECTION

Dear Sir or Madam

RE: OBJECTION TO THE APPLICATION FOR ALCOHOL LICENSE AT BEST KEBAB, 326 HOLLOWAY ROAD, N7

PLEASE KEEP MY DETAILS CONFIDENTIAL FROM PUBLIC DOCUMENTS.

I am a resident at [REDACTED] and was dismayed to receive your notification of the application from the above premises for an allnight alcohol license.

It is such a commercial area that it is easy to forget that Holloway Road is also a residential area. There are 3 residential flats at our address and many more in the area. I do not see how the plans to sell alcohol both on and off the premises all night could fail to impact negatively on my quality of life and ability to enjoy my property, and also on that of my neighbours.

They have asked to play music until 5 am Monday to Saturday and 3am on a Sunday. In effect then, for 24 hours. That cannot fail to cause noise nuisance two doors away from my home.

The license is for alcohol to be drunk in and out the premises. This is surely intended to attract people wishing to buy alcohol out of normal hours. This must constitute the risk of public nuisance. I would argue that it would also risk public safety. Holloway Road is a busy road at all hours of the night and having people milling around drinking on the pavement cannot be safe.

I also do not think that attracting people at these hours to buy alcohol is likely to keep the area calm. I am horrified to think of the nuisance potential of having people coming to buy alcohol from close to my front door at all hours of the night.

I think there is a real risk of this encouraging crime.

I am really distressed at the thought of this application being successful. If I can help by giving more details of the area and the residents' feelings, then please do call me [REDACTED]

Thank you very much for considering this objection and please let me know if this application is to be taken forward as I will want to appeal and object in the strongest manner.

Yours sincerely

[REDACTED]

**Islington Public Protection Division
Licensing Act 2003**

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Public Protection

Your Name	Lee H Casey
Job Title	Environmental Health Officer
Postal and email address	Noise Team, 3 rd Floor, Public Protection, Islington Council, 222 Upper Street, London N1 1XR Email: lee.casey@islington.gov.uk
Contact telephone number	020 7527 2014

Name of the premises you are making a representation about	Holloway Best Kebab,
Address of the premises you are making a representation about	Ground Floor, 326 Holloway Road, Islington, London, N7 6NJ.

Please detail the evidence supporting your representation. Or the reason for your representation.
Please use separate sheets if necessary

To prevent public nuisance

Following my visit to the premises on 14th March 2013, to discuss the application with Mr Mansur Duzgun, the applicant, I comments as follows:

The premises consist of ground floor and three storey residential units above the shop. The ground floor is currently being refurbished to provide new facilities such as toilets and kitchen area. The application is for trading hours of 23:00hrs to 05:00hrs Monday to Saturday and Sunday 23:00hrs to 03:00hrs.

The shop is located on Holloway Road, a busy thoroughfare with heavy traffic being the dominant noise source. I understand from Mr Duzgun that the music being played at the premises is for background entertainment only and will not cause a nuisance to the residential units above. Mr Duzgun seems aware of his obligation to adhere to all the licensing objectives.

I have considered the application in relation to the Council's Licensing Policy 2; 4; 8 and 9. I am aware that the premises fall with the Cumulative Impact Area which is a commercially very busy part of the borough with a high density of similar café and shops. I checked out records for noise related complaints when the restaurant was previously trading with similar operating times. We received a complaint on 15th January 2013; concerning a noisy extractor fan either emanating from 326 or 328 Holloway Road. We contacted the complainant both by witting and telephoning on numerous occasions to arrange for further investigation and verify the source of the noise. However, despite our request, we received no further contact from the resident and therefore the complaint was never substantiated.

I therefore have no objection to the application on condition that the following conditions detailed below are accepted by the applicant.

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. Doors and windows to the premises will be kept closed, so far as practicable, at all times when recorded music is being played and during restaurant operating activities.
2. No music emanating from the shop should be audible to cause a nuisance within any adjoining noise sensitive premises between the operating hours.
3. Any music played at the premises will be at a background volume.
4. Customers should not be allowed to consume purchased alcohol outside the premises.
5. No refuse including bottles will be moved, removed or placed in outside areas between 22:00 and 07:00hrs
6. Prominent, clear and legible notices must be displayed at the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
7. There will be a logbook kept at the premises for the manager and staff to record all noise complaints received during the trading hours. It should be made available to the Environmental Health Noise Team upon request.
8. All tables and chairs outside the premises shall not be used after 22:00hrs
9. There will be no deliveries made to the premises between the hours of 22.00 and 07.00hrs.
10. Bottling out from the premises is prohibited between 22:00 hours and 07:00 hours.
11. Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (L_{A90}), expressed in dB(A) when all plant/equipment are in operation.

Where it is anticipated that any plant/equipment will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps) special attention should be given to reducing the noise levels from that piece of plant/equipment at any sensitive façade to at least 10dB(A) below the L_{A90} , expressed in dB(A).

12. Cooking odours from the restaurant kitchen extract system shall be adequately dispersed to a suitable height and location to prevent nuisance to the neighbouring residents.
13. The cooking extract system shall be adequately maintained to prevent cooking odours and noise and or vibration affecting neighbouring residents.



Signed:

Date: 25th March 2013

Please send this form along with any additional sheets to the applicant. A copy should be sent to: Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to licensing@islington.gov.uk

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

REP 14 ACCEPTED

Williams, John

From: Casey, Lee
Sent: 28 March 2013 16:04
To: Licensing
Subject: FW: Holloway Best Kebab, Ground Floor, 326 Holloway Road, Islington, London, N7 6NJ_Lic Application

Dear Licensing Colleagues,

Please see Mr Duzgun email below confirming that he will accept the proposed conditions on the application.

Kind regards

Lee

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

From: mansur duzgun [REDACTED]
Sent: 28 March 2013 1 [REDACTED]
To: Casey, Lee
Subject: RE: Holloway Best Kebab, Ground Floor, 326 Holloway Road, Islington, London, N7 6NJ_Lic Application

lee thank you for your email and telephone call today .

i would like to confirm that i accept the conditions you have in place for the licence .

should you wish to contact me please feel free to do so .

regards

M Duzgun

From: Lee.Casey@islington.gov.uk
To: [REDACTED]
Subject: Re: Holloway Best Kebab, Ground Floor, 326 Holloway Road, Islington, London, N7 6NJ_Lic Application
Date: Thu, 28 Mar 2013 12:57:10 +0000

Dear Mr Mansur Duzgun,

I write further to my visit to your premises on 14th March 2003, concerning the above licence application. As advised please see detailed below the conditions I mentioned for you to consider and accept as part of the public nuisance licensing objectives.

As soon as I have received confirmation you will accept the conditions, I can inform the licensing team and withdraw my objection to your application.

1. Doors and windows to the premises will be kept closed, so far as practicable, at all times when recorded music is being played and during restaurant operating activities.
2. No music emanating from the shop should be audible to cause a nuisance within any adjoining noise sensitive premises between the operating hours.
3. Any music played at the premises will be at a background volume.
4. Customers should not be allowed to consume purchased alcohol outside the premises.
5. No refuse including bottles will be moved, removed or placed in outside areas between 22:00 and 07:00hrs
6. Prominent, clear and legible notices must be displayed at the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
7. There will be a logbook kept at the premises for the manager and staff to record all noise complaints received during the trading hours. It should be made available to the Environmental Health Noise Team upon request.
8. All tables and chairs outside the premises shall not be used after 22:00hrs
9. There will be no deliveries made to the premises between the hours of 22.00 and 07.00hrs.
10. Bottling out from the premises is prohibited between 22:00 hours and 07:00 hours.
11. Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment are in operation.

Where it is anticipated that any plant/equipment will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps) special

attention should be given to reducing the noise levels from that piece of plant/equipment at any sensitive façade to at least 10dB(A) below the LA90, expressed in dB(A).

12. Cooking odours from the restaurant kitchen extract system shall be adequately dispersed to a suitable height and location to prevent nuisance to the neighbouring residents.

13. The cooking extract system shall be adequately maintained to prevent cooking odours and noise and or vibration affecting neighbouring residents.

I trust this is satisfactory. If you have any questions or concerns, please do not hesitate to contact me.

Yours sincerely

Lee Casey

Lee H Casey

Environmental Health Officer

Noise Team

Public Protection

Islington Council

222 Upper Street

London N1 1XR

Tel: 020 7527 2014

Email: lee.casey@islington.gov.uk <<mailto:lee.casey@islington.gov.uk>>

Memo

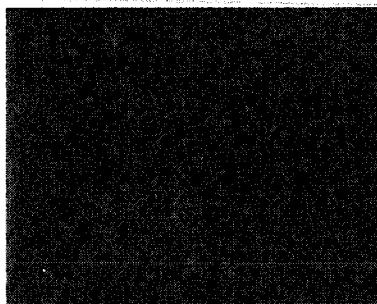


Date: 14 March 2013
Subject: CI New Web Enquiry
Reference: 10226479

Contact Centre
Contact Centre Manager
Contact Centre, Municipal Offices
222 Upper Street
Islington
LONDON N1 1YA

T: 020 7527 2000
F: 020 7527 5001

Customer



Notes

14/03/2013 10:32

Contact Islington 222 Upper Street London N1 1XR Tel: 020 7527 2000
Enquiry Through The Website Reference number EI-780601 Customer



restaurant undergoing refurbishment. I was horrified today when I saw the premises below me were applying for a liquor license from 11PM to 5AM from Monday to Saturday. When I moved into this flat, the premises were just a kebab which was not going to be noisy. If the license is approved, I will never be able to sleep with all the noise coming from below, especially as it is supposedly going to be open until 5AM 6 days a week. Surely that is not permissible in a residential building! Can you please advise as to what I can do to stop this? I am also very surprised that I did not get informed of this by the council. Surely, as the upstairs neighbors, we ought to have been told! Please help, this situation is highly distressing.

This enquiry has been dealt with by Davinder Dosanjh

Granting a late licence to Holloway Best Kebabs would fly in the face of the Council's policy of trying to minimise the negative impact of alcohol in the Cumulative Impact Area of Holloway and Finsbury Park. The policy aims to minimise the impact of alcohol abuse and the subsequent problems of disorder, violence and public nuisance. Allowing the kebab shop to stay open and serve alcohol until 5am is not going to help that.

To the best of my knowledge there is nowhere else in the immediate vicinity that serves alcohol until 5am in the morning and as a consequence it will be a magnet for every drunk and party goer looking for a night cap or who just want to keep on drinking.

Having to negotiate rowdy boisterous drunks, literally on your doorstep, is not a good experience and is not safe. In the past I have had to deal with stroppy people blocking my door way, get people to move their stacked-up bicycles out of the doorway. I have even found people urinating in the doorway. All late-night customers of the kebab shop.

One of the flats in the building is occupied by a couple with two young children who should not be exposed to this kind of behaviour. And frankly, I don't see why I should either.

Encouraging Business:

Part of the council's job is to encourage and facilitate business but in today's economy we are all in business. Part of my business is being a home owner and for me represents a considerable investment. The majority of Holloway Best Kebabs' neighbours are in the same business being home owners or landlords. Granting the late licence would damage my business by reducing the value of my property. If I wished or needed to rent out my flat, the late licence would make it harder and reduce the rental value. The same would apply to the majority of Holloway Best Kebabs' neighbours.

Holloway Best Kebabs could flourish well enough with a normal 11 o'clock restaurant licence as recommended in council policy. This would balance the needs of ALL the businesses involved. The cost of a late licence would be paid out of the pockets of me and my neighbours which would be unfair, unreasonable and entirely unacceptable.

Regards

Williams, John

From: [REDACTED]
Sent: 26 March 2013 20:33
To: Licensing
Subject: Objection to Licence 326 Holloway Rd Ref-WK-201305766
Attachments: Objection to Licence 326 Holloway Rd Ref-WK-201305766.doc

I would like to make an objection to the application for a licence for:

Holloway Best Kebabs, 326 Holloway Road, London N7 6NJ

The licence is for the playing of recorded music, the sale of alcohol and provision of food and late night refreshment between 11pm and 5am Monday to Saturday and until 3am Sunday

Your reference is WK/201305766

I own and live in a flat at [REDACTED] Holloway Best Kebabs and have done so for over 12 years. I have three main objections to the granting of the licence:

Noise Nuisance:

The noise made by the restaurant's extraction system is very loud. Having a grill requires, both practically and legally, a powerful extraction system. The outlet for this particular extractor is against the wall of my flat and when it is running at night the noise and vibration make it is near impossible to sleep, even when ear plugs are worn.

Mr Duzgun, the man seeking the licence, used to run Holloway Best Kebabs about eight or nine years ago (prior to that, when I bought the flat, it was a Chinese restaurant which used to close at 11pm). During his tenure Mr Duzgun would run the extractor full blast, all day, every day, from 8.00 in the morning until 4.00 or 5.00 the next morning. During that period I made repeated complaints about the noise. Despite many assurances that 'something would be done' or 'an engineer was coming' nothing was ever done and the noise continued unabated, twenty hours a day, every day. This went on for about a year or so at which point he sold the business.

The experience was horrible and the lack of sleep it caused was extremely detrimental to my general well-being.

There are several food outlets with extractors on this block but none make as much noise as Holloway Best Kebabs and none stay open until 5am. There is a take-away next to our building (Sam's Chicken) that runs its own extractor until midnight every day. Isn't this enough? Am I and my neighbours expected to put up with even more noise?

The Holloway Best Kebabs' extractor points directly down Lowman Road, a residential cul-de-sac. I doubt if many people down there were able to sleep with their windows open in the summer when the extractor used to run until 5am. There are also two other flats above the restaurant and flats either side also subject to the noise. It would be outrageous for the council to grant permission for this business to disturb the lives of so many people.

The Councils Licensing Policy 2013-17 document / Licencing Policy 8 suggests that restaurants and cafes should be open until 11pm Sundays to Thursdays and Midnight Friday and Saturday. This seems more reasonable to me. I don't oppose Mr Duzgun's legitimate right to do business however I believe I have a legitimate right to a night's sleep and some quality of life in my own home. His business should be conducted within his own premises and should not intrude into mine.

Public Nuisance and Disorder:

Web: www.islington.gov.uk <<http://www.islington.gov.uk/>>

This e-mail is intended for the addressee only. If you have received it in error, please contact the sender and delete the material from your computer. Please be aware that information in this email may be confidential, legally privileged and/or copyright protected.

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Holloway Best Kebabs could flourish well enough with a normal 11 o'clock restaurant licence as recommended in council policy. This would balance the needs of ALL the businesses involved. The cost of a late licence would be paid out of the pockets of me and my neighbours which would be unfair, unreasonable and entirely unacceptable.

Regards



Please Note: I would like my representation to remain anonymous and would not want my name or details to appear in any public reports and I would prefer it, if possible, that my name and details are not given to Mr Duzgun, the applicant. Mr Duzgun owns the freehold of 326 Holloway Road and I am

a lease holder within the building and I don't want to prejudice my relationship with him any more than is necessary.

REP17.

Williams, John

From: Williams, John on behalf of Licensing
Sent: 09 April 2013 12:01
To: [REDACTED]
Subject: RE: Representation in support of objection to licence application, Holloway Best Kebab, Ground Floor, 326 Holloway Road, Islington, London, N7 6NJ

[REDACTED]

Please provide your full residential address.

Regards
John Williams
Licensing Support Officer

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

From: [REDACTED]
Sent: 26 March 2013 22:13
To: Licensing
Subject: Representation in support of objection to licence application, Holloway Best Kebab, Ground Floor, 326 Holloway Road, Islington, London, N7 6NJ

Licence Registers Details

- Licence for: Holloway Best Kebab, Ground Floor, 326 Holloway Road, Islington, London, N7 6NJ
- Applicant Mansur Duzgun

- Licence Type: Premises Licence

- Application Date: 11th March 2013

- Representations By: 8th April 2013

- Status: New Application Waiting Issue

Representation:

I strongly object to the extension of this licence on the following grounds:

- * The restaurant backs on to a quiet residential cul-de-sac.
- * The noise and nuisance including behaviour associated with drunkenness (shouting, fighting, urination in the streets) deriving from a late night alcohol licence will seriously affect the immediate area as I can verify from my experience living behind a similar establishment in Camden Town.
- * The restaurant will run a fan extractor until 5am causing noise nuisance for neighbours and disturbing sleep for inhabitants of nearby properties.
- * We have 2 small children with in a bedroom facing Lowman Rd - I am seriously concerned about disturbance to their sleep & possible impact on their school performance.
- * I am worried about additional late night deliveries/rubbish collection as Lowman Rd is used as an access/loading point for these businesses - we already have to contend with twice weekly rubbish collections between 3-4am which always wake us.
- * This is a friendly, family focussed neighbourhood. This licence will set a precedent as well as providing a bad example to our children about the ease of availability of alcohol.

currently breaches acceptable noise emissions targets/levels (please would the council Noise Team commence a noise monitoring of the system ...and also let me know whether planning permission was obtained for the installation of the current system) and iii) that the kebab shop is running deliveries into the rear of the property each and every night at 3am...waking up my tenants living at 4 Lowman Road.

Please also check the Planning Use Class of these premises. I assume it is to sell food. Not to provide music and alcohol until 5am.

The idea that permission should now be given to this kebab shop to sell alcohol and play music until 5am in the morning six days a week is simply grotesque.

As I have pointed out in earlier correspondence with you, I do not know why the Council is even considering this application at all. This area is now a Special Policy zone. I am beginning to think that some of the licence applications under the Licensing Act 2003 I have seen/am seeing are an abusive insult to local residents living nearby resulting in a waste of the Council's time (our council taxpayer's money), local councillors time and local residents time. The Council must devise a process/threshold whereby businesses cannot simply lodge any application they want under the Licensing Act 2003. This is a Special Policy Area and the Council still has to consider a request for a further/new licence application for alcohol sale and music playing until 5am in the morning. It is simply crazy!!

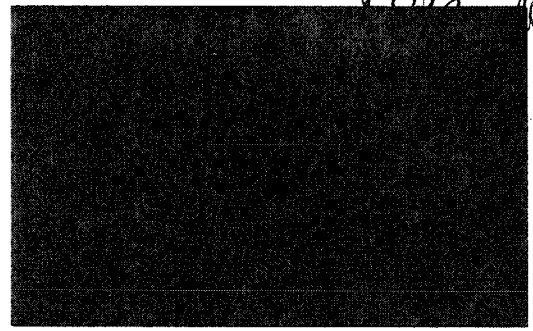
Lowman Road is a beautiful residential street with a cul de sac that backs onto the Holloway Best Kebab. The kebab shop activity is currently ruining the quite use and enjoyment of the property at 4 Lowman Road and others in the immediate vicinity

We therefore object to the application for the new Premises Licence in its entirety on the following grounds:

1. The activities currently at the kebab shop are not bearable for the residents of Lowman Road from a noise/general disruption effect.
2. Lowman Road is a residential Street where families/children/elderly people live. We do not want people falling out of the kebab shop or at the rear entrance making noise/aggravation/public disturbance/nuisance until 5am or later every day. The licence application should be dismissed on the grounds of prevention of public nuisance and the protection of children from harm and noise.
3. There are more than enough licensed venues in this neighbourhood for the activities specified in the notice. That is the reason why the area has already been designated a Special Policy zone. It would simply be totally inappropriate to change the nature of Lowman Road by allowing this application.
4. There are already often large intimidating groups that stand outside the rear entrance to the kebab shop in the evenings/early hours of the morning.

I suspect a licence which permits alcohol and recorded music will only increase the likelihood/prevalence of taking place in this area. I am also concerned that these large groups at the rear entrance are a public s-

Koum 2



Licensing Service

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

Email: licensing@islington.gov.uk

20th March 2013

Dear Sir / Madam,

Representation: New Premises Licence Application: Holloway Best Kebab, Ground Floor, 326 Holloway Road, Islington, London, N7 6NJ

I've been the freeholder / owner of [REDACTED] Holloway Road, London N7 6NJ since 2001 and I presently have tenants living in two flats above the shop.

With reference to the above application for a new premises licence, I wish to make the following representations.

1. Prevention of Crime and Disorder

Based on current and 2012 Islington Police licensing crime statistics, if a 5am premises licence were granted to 326 Holloway Road, The Premises, the levels of late night alcohol-related anti-social behaviour, street drinking & drug use, assaults and bag / phone theft, both on Holloway Road and on Lowman Road (to the rear of The Premises) would be expected to increase. The statistics indicate that alcohol related crime (ie: assault and theft) goes hand in hand with late night premises as there is a sharp increase in crimes reported after 11pm.

There would also be an additional transitory population making its way to and from The Premises until the early hours (after 5am) as drinkers make their way home from a night out.

Although The Premises has historically been in the centre of one of the main retail areas on Holloway Road, the area isn't known for its late night economy action and should a premises licence be granted, the already stretched police force and council enforcement team that manages late night economy areas like Upper Street, would be forced to be responsible for a new and separate location that would draw valuable resources away from the main Islington night time economy area.

The area to the rear of The Premises is the quiet cul-de-sac end of Lowman Road. The enclosed photos show how the existing black rear exit doors at 326 Holloway Road open out onto Lowman Road. There are well maintained period houses (including some family homes with children) along both sides of Lowman Road, but this peaceful setting was not always the case.

The local authorities should be commended in the way they have helped to clear up the cul-de-sac end of Lowman Rd over the last 12 years, lifting the area from a dimly lit dead end where dodgy deals were common-place, cars were broken into, and rubbish was regularly dumped in large quantities against the resident walls at the end of the road, to a well-lit, well managed quiet and leafy residential area. The residents are also very proud of the achievements and an excellent tranquil balance exists on the street at last. This balance would surely be at great risk by a 5am closing licensed premises and an expected rise in crime that is associated with late night licensed premises.

DJ's and equipment deliveries could access The Premises via the existing double doors in Lowman Rd and if a premises licence were granted, the fire dept would surely insist on a rear fire exit where customers could access Lowman Road any time that the premises is open. Imagine the clash of uses in Lowman Road in the early hours where residents try to sleep against a potential back drop of customer noise, smoking, music noise escape, urinating and / or vomiting in resident gardens and on doorsteps.

There is also a narrow and badly lit footpath that runs from Lowman Road along the rear of the shops, heading north up to 336 Holloway Road (see enclosed photographs). The footpath is a potential haven for crime, a secluded and dark place for all manner of unlawful activities to occur, particularly if it's linked to a late night drinking establishment. Unlawful and anti-social activities may include taking illegal drugs, dealing illegal drugs, street drinking / pre-loading prior to entering The Premises, smoking, urinating, vomiting, as well as staff and customers congregating and making noise.

2. Prevention of Public Nuisance

Outside area / smoking area

As far as I can see, the applicant has no plans to include a smoking area or outdoor space at The Premises, so I assume that there will be customers and staff congregating outside The Premises (on Holloway Road as well as Lowman Road) to get fresh air / take a break. Even the most well intended customers and staff who may step outside for some fresh air and a cigarette, can create noise and public nuisance that would disturb residents in flats above the shops on Holloway Road as well on Lowman Road where the noise levels are presently mercifully low.

Customer noise escape, music noise escape and antisocial behaviour

As mentioned previously in this representation, DJ's and equipment deliveries could access The Premises via the existing double doors in Lowman Rd and if a Premises Licence were granted, the fire dept would surely insist on a rear fire exit where customers could access Lowman Road any time that the premises is open. Imagine the clash of uses in Lowman Road in the early hours where residents try to sleep against a potential back drop of customer noise,

music noise escape, music noise escape, customers smoking, urinating and / or vomiting in resident gardens and on doorsteps.

As mentioned above, there's a narrow and badly lit footpath that runs from Lowman Road along the rear of the shops (including The Premises), heading north up to 336 Holloway Road (see enclosed photographs). It's a potential haven for anti-social behaviour and a secluded and dark place for all manner of unlawful activities to occur, particularly if it's linked to a late night drinking establishment. Unlawful / anti-social activities would include street drinking / pre-loading prior to entering The Premises, urinating, vomiting, as well as congregating and making noise.

Noisy bottles being tipped into recycling bins

Where waste disposal, particularly clinking bottles that make loud and shrill noises when tipped into recycling bins, during the daytime may be tolerable for people who are awake and accustomed to louder ambient noises, noise created by waste disposal in the middle of the night is intolerable to sleeping people who are accustomed to much lower environmental ambient noises at that time of the day. Noisy waste disposal in the night time hours is unacceptable and should a 5am premises licence be granted, local residents would be at great risk to this noisy activity happening.

Storing and aiding the collection of waste and recyclable waste

The applicant makes no mention to adapt and improve on the storage and aiding the collection of additional waste and recyclable waste at The Premises. Historically, domestic bins to the rear of the premises on Lowman Road have been unlawfully used by unscrupulous retailers who have access to the Lowman Rd cul-de-sac.

The applicant notes that he proposes to operate for over 120 hours a week and up to 5am Mondays to Saturdays (3am Sundays). A restaurant / hot takeaway food / drinking establishment trading for this many hours would have significant trade waste including food scraps (rodent friendly), food and drink stock packaging, bottles / glass, and cardboard. Cumulatively, across any given 120+ hour week, a restaurant / hot takeaway food / drinking establishment would require a well-designed and functional bin store area that was capable of storing and aiding in the collection of regular and recyclable waste, so that it was aesthetically pleasing, rodent-free and inaccessible by small children. Presently, no such thing exists.

The lack of plans / notes (in the Premises Licence application) for effective waste storage fall woefully short of being adequate and if the application were to be approved by Islington Council on the basis of the existing waste disposal arrangements, the existing waste disposal arrangements would directly work against 10 years of fine regeneration work in the cul-de-sac of Lowman Road (behind the premises) carried out by Islington Council and all the local residents and shop keepers who have access to the cup-de-sac.

Please see enclosed photographs of building waste left on the street outside the rear doors of 326 Holloway Road. Over the years, I've complained to Islington Council on numerous occasions about rubbish dumped in Lowman Road, so that it can be removed. Even as late as last Saturday 16th March, a pile of building rubbish was on Lowman Road outside the rear exit

of 326 Holloway Road (see photo enclosed) – not a good look when you're in the middle of the consultation period for a premises licence application. Anyone's perception of this situation would be that if The Premises can't get it right at this stage, what chance does anyone have of them getting it right if a 5am premises licence were to be granted?

3. Public Safety / Public Health

When I purchased 326 Holloway Road (and the flats above that face Lowman Road) in 2001, there was daily fly tipping in the Lowman Road cul-de-sac, as well as rat, mouse and cockroach infestations (my notes say as late as 2006 where I was in contact with Islington environmental health) in the dimly lit end of the street. There were obvious public safety and public health issues that needed to be addressed.

Full credit for the exceptional rise in the quality of the Lowman Road environment must go to the local residents of Lowman Road, the A1 shop owners who have access to Lowman Road, and Islington Council Environline staff and the Public Protection Division staff of Islington Environmental Health. Everyone's persistence and ongoing commitment in monitoring and raising standards in an area that was historically in a dreadful state, has achieved a tremendous result for the community.

I don't think that any of the people who have worked so hard to improve the cul-de-sac end of Lowman Road over the past decade, want to risk going back to the dark days described above. This joint council / resident achievement needs to be recognised, defended and encouraged. Granting a 5am premises licence to The Premises would be like peeling the lid back on a can of worms.

4. Protection of Children From Harm

There are children living in Lowman Road and they presently live in a residential area where they can expect to have a good, uninterrupted night's sleep. There are parents and carers of these children who also need uninterrupted sleep. Granting a 5am premises licence to The Premises would potentially compromise family sleep patterns by way of

- Customer and / or staff noise escape
- Music noise escape
- Waste disposal noise

If waste disposal isn't managed and monitored correctly (as noted above), there would be rodent and numerous hygiene consequences. Granting a 5am premises licence to The Premises would potentially compromise the health of any unsupervised children playing in the vicinity of poorly managed waste disposal areas. These children would be at risk of having their health compromised.

Summary

Granting a new premises licence to serve alcohol and play recorded music until 5am on Mondays to Saturdays (3am on Sundays), is an open-ended invitation to significantly increase

crime and disorder as well as public nuisance - a recipe for problems. Issues concerning public safety and the protection of children from harm would also increase. Although the applicant will probably argue that they want to run a quiet and cosy restaurant / bar, the licence that the applicant is applying for is all that's technically required to run late night clubs and parties, 7 days a week! An example of how an area can get out of hand by way of an uncontrolled late night economy developing, can be seen in Hackney Council's Dalston, where residents, police and council are having to pour resources in to uphold the four licensing objectives. I urge Islington council to take the learning from the Dalston night time economy 'explosion'.

I object to the granting of a Premises Licence at 326 Holloway Road and believe that it is proportionate and necessary that this application should be refused in its entirety.

Yours faithfully,



Ref: WK/201305766

Dear Sir,

I am writing in response to the application for a new Premises licence at Holloway Best Kebab, 326 Holloway Rd, London N7 6NJ.

I oppose the application for the following reasons:

We live in a quiet residential street, behind the venue at Lowman Rd where the premises open straight out into our street practically outside our front door. Council policy says that objection must relate to one or more of the licensing objectives which I would like to highlight how this application has a negative impact on these objectives.

The Prevention of Crime and Disorder
The Prevention of Nuisance
Public Safety
The Protection of Children from Harm

At present noise and nuisance from the premises has already caused us and the local community annoyance and frustration. The noise from the back door staying open and staff and friends congregating outside, plus the rubbish being dumped and left in the street is not what a residential area should be faced with. We already have to listen to the ventilator from Sam's chicken Shop every evening so the addition of another ventilator from the Kebab shop for longer hours until 5am, is only going to make the situation worse. We are a family with two children and there are many families with young children in the street, therefore the late night license with music until 5am is not conducive to a healthy family life where sleep will be disrupted and attending school could be difficult to concentrate due to lack of sleep, therefore damaging the children's educational development. By having more customers due to its extended opening hours will also mean more cars and mini cabs/cabs will cause more noise, more disruption.

I also have concerns in terms of crime and disorder. Having premises with late night music until the early hours will attract people who could engage in anti-social behaviour, alcohol related crime, drug use and the ever increasing problem in Islington of phone snatches. Having people congregating outside my home, leaving the premises drunk, making noise and attracting possible crime incidents cannot be the way forward. Statistics show with that late night premises there is an increase in crimes reported.

I am also of the understanding that we are in what Islington Council calls the 'Cumulative Effect Area of Holloway Rd' where the negative effects of alcohol have reached saturation point, especially dealing with Arsenal football fans drinking in our street every fortnight too.

In conclusion I object to this application for the reasons stated and hope that the council understand that disrupting a quiet residential street with a late night premises will attract crime, anti-social behaviour, noise and nuisance and disrupt a safe environment for children.

Yours Sincerely

Forde, Niall

From: [REDACTED]
Sent: 28 March 2013 08:48
To: Forde, Niall
Subject: RE: Licensing Act 2003-Application for a new Premises Licence-Holloway Best Kebab, 326 Holloway Road, London N7 6NJ
Attachments: Scan_Doc0430.pdf

Morning Niall,

I hope you are well.

I am the owner of [REDACTED] which [REDACTED] away from the rear entrance of the Holloway Best Kebab. My tenants at the Property and I would like to lodge representations against this new premises licence application.




Please would you send me a copy of this licence application.

I am beginning to think that some of the licence applications under the Licensing Act 2003 I have seen/am seeing are an abusive insult to local residents living nearby resulting in a waste of the Council's time (council taxpayer's money), local councillors time and local residents time. The Council must devise a process/threshold whereby businesses cannot simply lodge any application they want under the Licensing Act 2003. This is a Special Policy Area and the Council still has to consider a further licence application for alcohol sale and music playing until 5am in the morning. It is simply crazy!!

Many thanks

Best wishes

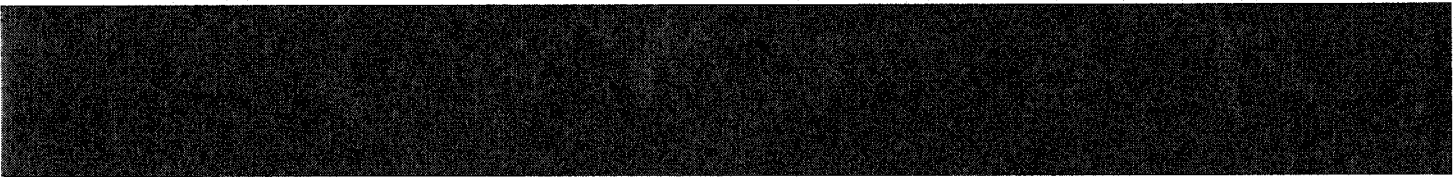
[REDACTED]

Dear Niall,

Licensing Act 2003-Application for a new Premises Licence-Re Holloway Best Kebab, 326 Holloway Road, London N7 6NJ

Thank you for posting through my door a notification of this Application (attached) for a new Premises Licence for the Holloway Best Kebab, 326 Holloway Road, London N7 6NJ.



This representation against this application is based on many years of complaints I have received from my tenants and the current tenants relating to the noise pollution and general hubbub that is caused at the rear entrance to the Holloway Best Kebab which appears to be operating 24 hours a day every day of the week. Above all else, my tenants are having their sleep disturbed by the selfish activities of this kebab shop and find the groups of men drinking, smoking and talking (sometimes shouting) at the rear of the premises in the early hours of the morning disturbing and intimidating.

The main complaint are: i) that the workers and their patrons of the kebab shop stand talking, smoking and drinking at the back of the premises well into the early hours...sometimes with friends and customers...keeping people awake at night (the area appears to have become a late night smoking area for the patrons of the kebab shop...we are not sure what is being imbibed either!!) , ii) that the current extractor/ ventilation system from the kebab shop

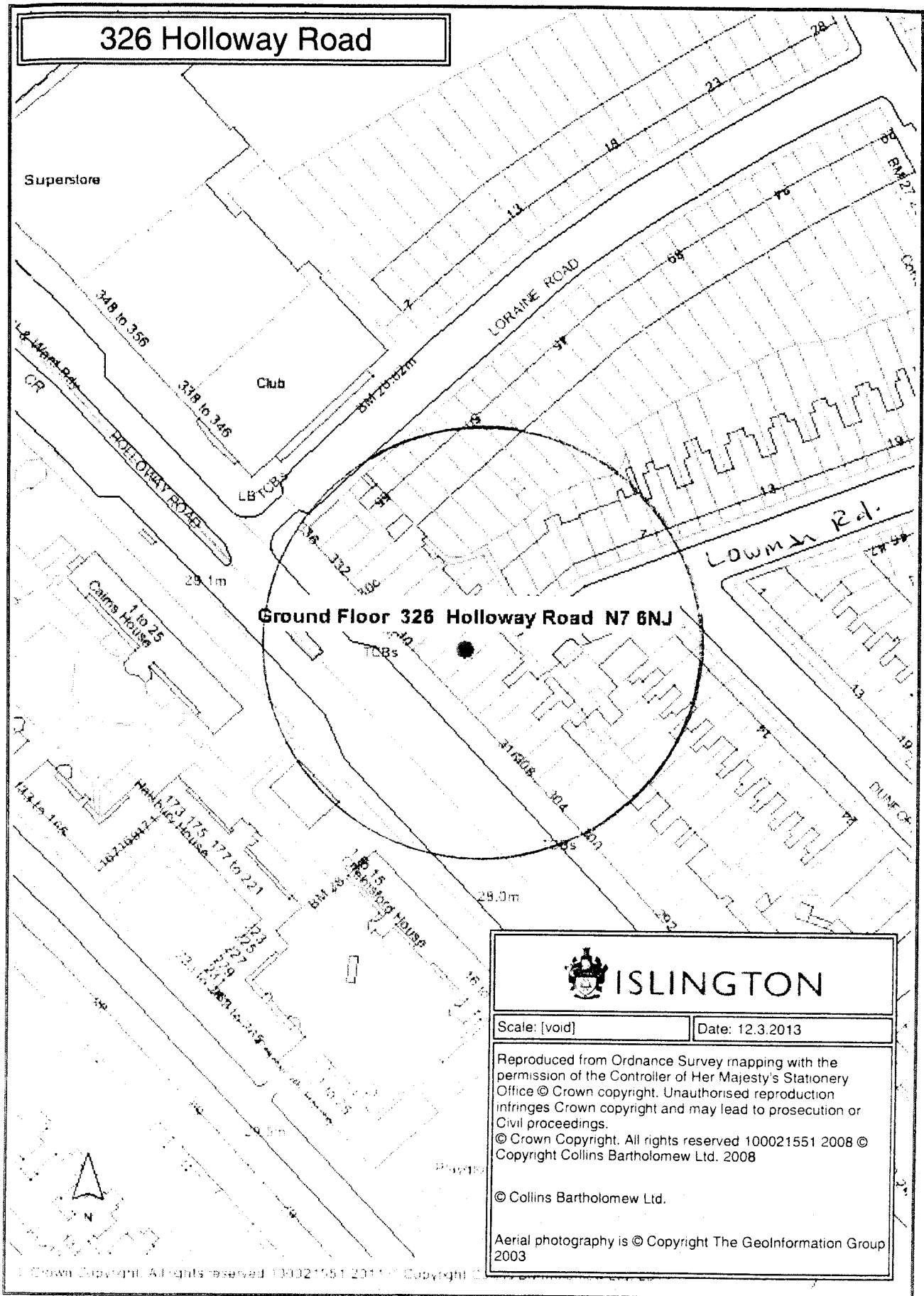
Suggested conditions of approval consistent with the operating schedule

1. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the display of posters.
2. Every sale or supply of alcohol under this premises licence shall be made or authorised by a personal licence holder.
3. 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.
4. The premises shall join the local retail watch scheme.
5. No alcoholic goods will ever be purchased or taken from persons calling to the shop, all purchases shall be made from wholesalers or cash and carry only.
6. At least three members of staff shall be on duty after 23:00.
7. Health and Safety risk assessments shall be carried out regularly.
8. The premises shall install and maintain the appropriate fire safety equipment, including emergency lighting, and statutory fire safety notices.
9. A management policy shall be in place to take into account the immediate areas outside the premises and the conduit of any customers.
10. 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.

Suggested conditions of approval recommended by Noise Team (Agreed).

11. Doors and windows to the premises will be kept closed, so far as practicable, at all times when recorded music is being played and during restaurant operating activities.
12. No music emanating from the shop should be audible to cause a nuisance within any adjoining noise sensitive premises between the operating hours.
13. Any music played at the premises will be at a background volume.
14. Customers should not be allowed to consume purchased alcohol outside the premises.
15. No refuse including bottles will be moved, removed or placed in outside areas between 22:00 and 07:00hrs
16. Prominent, clear and legible notices must be displayed at the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
17. There will be a logbook kept at the premises for the manager and staff to record all noise complaints received during the trading hours. It should be made available to the Environmental Health Noise Team upon request.
18. All tables and chairs outside the premises shall not be used after 22:00hrs
19. There will be no deliveries made to the premises between the hours of 22.00 and 07.00hrs.
20. Bottling out from the premises is prohibited between 22:00 hours and 07:00 hours.
21. Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment are in operation.

22. Where it is anticipated that any plant/equipment will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps) special attention should be given to reducing the noise levels from that piece of plant/equipment at any sensitive façade to at least 10dB(A) below the LA90, expressed in dB(A).
23. Cooking odours from the restaurant kitchen extract system shall be adequately dispersed to a suitable height and location to prevent nuisance to the neighbouring residents.
24. The cooking extract system shall be adequately maintained to prevent cooking odours and noise and or vibration affecting neighbouring residents.



326 Holloway Road

Superstore

Club

HOLLOWAY ROAD

LORANE ROAD

LOWMAN RD.

Ground Floor 326 Holloway Road N7 6NJ



Scale: [void] Date: 12.3.2013

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