



Report of: Service Director - Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	26 November 2013	B1	Hillrise

Delete as appropriate	Exempt	Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION

RE: EXPRESS SUPERMARKET, 81 HAZELLVILLE ROAD, LONDON N19 3NB

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:
 - i) Supply alcohol for consumption off the premises 08:00 to 23:00 Monday to Sunday.
 - ii) Agree the opening hours of the premises from 07:00 to 23:00 Monday to Sunday.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 19 of the Licensing Act 2003.
- 2.2 If the Committee grants the application it should be subject to:
 - i) conditions of the current premises licence;
 - ii) conditions prepared by the Licensing Officer which are consistent with the Operating Schedule
 - iii) conditions recommended by responsible Authorities
 - iv) any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 The premises is currently unlicensed but had previously been licenced.

- a) The original premises licence was granted on 24 November 2005 as a conversion application.
- b) On 19 May 2009 the licence was transferred to Mr Hasan Dogus and he also became the DPS.
- d) On 31 August 2010 the licence was transferred to the current Mr Zeki Erdogan and he also became the DPS.
- g) On 27 February 2013 Trading Standards reviewed the premises licence following the sale of alcohol to an underage volunteer and the seizure of a large quantity of illicit alcohol.
- h) On 23 April 2013 the Licensing Sub Committee revoked the premises licence and Highbury Magistrates upheld the decision on appeal on 25 September 2013.

3.2 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2: representation from the Police, Licensing Authority, Health & Safety, Noise Team, Trading Standards and Islington Council's Anti Social Behaviour Team;

Appendix 3: suggested conditions and map of premise location.

4. Planning Implications

4.1 The use of this site A1 and considered lawful.

5. 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:

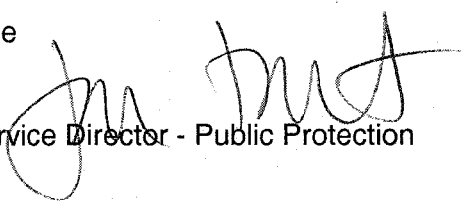
The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance

Signed by


Service Director - Public Protection

Date

14.11.13

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Team

Tel: 020-7527-3031

Fax: 0207-527-3057

E-mail: licensing@islington.gov.uk

WK/2013 26809

Licensing Team, Islington Council, 222 Upper Street, London, N1 1XR

Application for a premises licence to be granted

Under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We MEHMET ASLAN

(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			
EXPRESS SUPERMARKET 81 HAZELVILLE ROAD UPPER HOLLOWAY			
Post town	LONDON	Postcode	N19 3NB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£8,700

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

ISLINGTON COUNCIL LICENSING	
Date	7/10/13
Fee Paid	£190.00
Application Reference	101353
Premises Number	0665426
	MO 26

OK
Kant
7 Oct 13

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

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname ASLAN			First names MEHMET		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		113 BURNHAM ROAD			
Post town	LONDON			Postcode	E4 8PA
Daytime contact telephone number			07928 282 123		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	11	2013

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

DD	MM	YYYY

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

Express Supermarket – licensed premises. Please refer to attached plans.

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 any that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) The applicants wish to be able to provide facilities for late night refreshment as may be required from time to time to compliment the range of activities (whether licensable or not) being provided at the premises whether as principal or in conjunction any other permitted activity	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
			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) Please refer to box J for non-standard timings.	
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name: MEHMET ASLAN	
Address: 113 BURNHAM ROAD LONDON	
Postcode	E4 8PA
Personal licence number (if known) Z01N04113B/1	
Issuing licensing authority (if known) Waltham Forest	

K

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

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) The premises may be open to members of the public for non-licensable activities without limit.
Day	Start	Finish	
Mon			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) Please refer to box J for non-standard timings.</p>
	07:00	23:00	
Tue			
	07:00	23:00	
Wed			
	07:00	23:00	
Thur			
	07:00	23:00	
Fri			
	07:00	23:00	
Sat			
	07:00	23:00	
Sun			
	07:00	23:00	

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

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

Please refer to the attached continuation sheet.

b) The prevention of crime and disorder

As above.

c) Public safety

As above.

d) The prevention of public nuisance

As above.

e) The protection of children from harm

As above.

Checklist:

Please tick to indicate agreement

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	
Capacity	Applicant’s Solicitor/Advocate

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)			
Dadds LLP Licensing Solicitors Crescent House 51 High Street			
Post town	Billericay, Essex	Postcode	CM12 9AX
Telephone number (if any)	01277 631 811		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Continuation sheet

EXPRESS SUPERMARKET, 81 Hazellville Road, Islington, London N19 3NB

1. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
2. No spirits shall be purchased in resealed boxes.
3. The licensee will immediately report to Trading Standards and the Police any instance of a caller to the shop attempting to sell alcohol.
4. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
5. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
6. An ultra-violet light will be available at the premises for the purpose of checking UK duty Stamp on spirits as soon as practical after they have been purchased.
7. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.
8. 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.
9. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
10. The licensee shall put arrangement in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the "PASS" logo (and no others), a Passport, or a UK driving Licence bearing the photograph and the date of the birth of the bearer.
11. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

**Islington Licensing Authority
Licensing Act 2003**

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Environmental Protection

Your Name	Eryka Bancroft
Job Title	Senior Environmental Health Officer
Postal and email address	Pollution Projects Team Public Protection Division 222 Upper Street London N1 1XR
Contact telephone number	020 7527 3846

Name of the premises you are making a representation about	Express Supermarket
Address of the premises you are making a representation about	81 Hazellville Road Islington N19 3NB

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

To prevent public nuisance

We are making our representation for the minimisation and prevention of the risk of noise pollution to neighbouring occupiers.

Noise Team has visited the premises and has considered the current Licensing Policy. The Operating Schedule put forward by the Licensee is relatively thin in relation to steps that will be taken to meet the public nuisance licensing objective and indicates a style of management that will be reactive rather than proactive.

We support the comments of the Licensing Authority and recommend that in order to promote the licensing objectives the application is refused.

However, should the Licensing Sub Committee be minded to grant the Application we would advise that the suggested conditions below are placed on the Licence.

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.	<p>A. Notices</p> <p>1. A prominent and clear notice will be displayed at the premises exit requesting customers to be considerate to local residents by leaving the premises and the area quietly.</p> <p>B. Roof Top Condensing Units</p> <p>1. No noise or vibration shall emanate from the Roof Top Refrigeration Condensing Units to the rear of the premises to cause noise disturbance to neighbours.</p>
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Signed: _____

Date: 29th October 2013

Please send this form along with any additional sheets to the applicant. A copy should be sent to: Islington Council, Licensing Team, 159 Upper Street London N1 1RE 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

Tomashevski, Katie

From: Armstrong, Sarah
Sent: 04 November 2013 12:12
To: Licensing
Cc: Tomashevski, Katie
Subject: 81 Hazelville Road

To whom it may concern

I work within Islington Council's Community Safety Team and lead a multi-agency problem solving panel that looks to address low level crime and anti-social behaviour.

Street population issues are a priority for Islington Council's community safety team.

Elthorne Park is a long standing Islington hotspot for street drinking, a lot of partnership work has taken place to address the behaviour and minimise the impact on the local community. We have received a number of complaints direct to the Council regarding drinkers in Elthorne Park ranging from concerns about shouting, swearing and bad language, violence, drug taking and other dangerous situations where drinkers have almost caused road traffic incidents by wandering into the road. Both the police and ParkGuard also receive regular calls from concerned residents and over the last 6 months I know ParkGuard have carried out over 200 hours of pro-active patrols in the park, they have found street drinkers there on almost every occasion although often they aren't found causing ASB which limits the use of the DPPO powers.

There have been a number of violent incidents and one individual was recently arrested for GBH – within the group itself there are concerns about intimidation and domestic violence. Many of the clients are vulnerable and we have been working to identify individuals and their housing support providers so we can share information and safeguard against harm. We work closely with the nearby hostel to inform them when their clients are engaged in drinking in the park because of concerns for their welfare.

We have made a number of environmental improvements to the area, cutting back bushes, removing benches and increasing litter provision in order to make the area less attractive and reduce the impact and currently both the police and colleagues ParkGuard use the DPPO powers to remove groups from the park or take away their alcohol if they are acting anti socially. There are groups of drinkers who don't cause ASB and therefore the DPPO powers aren't applicable but we have still have concerns for their welfare and the enabling of their alcohol abuse.

Some groups in the park are often drunk early in the day and therefore unable to engage with the outreach teams, once they have consumed their alcohol they continue to sit in the park, causing harassment alarm and distress to the members of the community but officers are unable to use powers to confiscate alcohol because this has already been drunk.

I believe that the drinkers use this area because they are able to buy cheap, strong alcohol nearby. They are obviously under the influence and continue to be allowed to purchase alcohol. I don't believe that the licenced premises in the area are accepting any responsibility for the problem or acting in a responsible manner despite our team having organised joint visits from police and licensing officers and following up with a visit to provide information about the support services available.

In the case of 81 Hazelville Road and other existing licenced premises, I don't believe their operating schedule is robust enough or has given enough consideration to the local issues. I think prohibiting the sale of high strength larger and individual cans, which are both attractive to street drinkers, would be appropriate and I think there should be mention of training around the challenging and refusal of selling to those already intoxicated as this could be putting members of staff at risk and needs to be managed effectively.

Many thanks

Sarah Armstrong

MAGPI North Neighbourhood Officer

Islington Anti Social Behaviour Team

Community Safety Partnerships Unit

Islington Council

Room G05

Town Hall

Upper Street

N1 2UD

Tel: 0207 527 3304 / 07584174154

Fax: 0207 527 3098

Alternative Contact: Chezerina Dhaliwal on 020 7527 3856

www.islington.gov.uk

<file:///C:/Documents%20and%20Settings/sarah%20armstrong/Application%20Data/Microsoft/Signatures/www.islington.gov.uk> <<http://www.islington.gov.uk> <<http://www.islington.gov.uk/>> >

Your

Our Licensing/NI

Date: 04/11/2013



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

Telephone: 07799133204
Email:
Licensingpolice@islington.gov.uk

Date 4th November 2013

Express Supermarket
81 Hazelville Road, Upper Holloway
London N19 3NB

Dear Sir

Re: Express Supermarket: 81 Hazelville Rd, Upper Holloway N19 3NB

With reference to the above application, we are writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application to vary the License as it is our belief that if granted the application would undermine the Licensing Objectives.

This venue has recently been the subject of License revocation. Parts of the evidence for the revocation were underage sales and illicit alcohol.

The business at the time was owned by Mr Ibrahim Aslan and Mr Zeki Erdogan. The applicant for the new license is Mr Mehmet Aslan who is Mr Ibrahim Aslan's son.

The Police as a Responsible Authority have concerns that the one or both of the original license holders will still play a large part in the day to day running of the premises and we have not seen any evidence to the contrary of this.

This premise is in close proximity to Elthorne Park, an area frequented by street drinkers and groups of youths drinking alcohol. These groups and the street drinkers take up valuable Police resources when engaging in Anti Social Behaviour. These persons are attracted to the area by the cheap high strength alcohol on sale in the area.

Alcohol related crime and violence are at levels that need to be addressed. Alcohol related violence within a 500m radius of the premises shows that the peak times are between 2000-0400hrs and equate to 2.7% of the Islington Borough total over the last 12 months. Alcohol related crime within a 500m radius of the premises shows that offences of ABH, GBH and Common Assault are the most common offences with peaks times between 2000 - 0800hrs and equates to 1.7% of the Islington Borough total over the last 12 months.

Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency services resource.

We appreciate that this premises does not fall within a cumulative impact area but we do feel that if this premises is granted another license then it is a distinct possibility that it could impact on the level of crime and disorder within the locality.

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

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

Yours sincerely

Steven Harrington Pc 425NI
Paul Hoppe Pc 208NI
Pete Conisbee Pc 575NI

Islington Police Licensing Team

Licensing Act 2003- Representation from the Licensing Authority
Application: Express Supermarket 81 Hazelville Road London N19 3NB

I am submitting a representation on behalf of the Licensing Authority with respect to the new premises licence application to permit off sales of alcohol from Express Supermarket from 8am to 11 pm daily.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

The premises is not located in a cumulative impact area so there is no presumption that the application should be refused and the onus is on responsible authorities and residents to demonstrate that granting the licence will undermine the licensing objectives.

Licensing Policy Considerations

Licensing Policy 1
Licensing Policy 4
Licensing Policy 9 & 10

Location, cumulative impact and saturation
Shops selling alcohol
Operating schedules

Licensing Policy 1

The key issues are: the type of premise; their cumulative impact and the mix of premises in the area.

The premise is located in Hillrise ward and is less than 200m from Elthorne Park. The area has a long standing problem with street drinking and Islington Council has worked with partners to tackle the problem through multiagency intervention strategies.

The map attached and table below show the premises licenced for off sales within 250m of 81 Hazelville Road.

Address 1	Address 2	Post code	Alcohol sales hours
Londis,	511-513 Hornsey Road,	N19 3QL.	8am - 11pm (M-S)/10-10.30 (SUN)
Hilltop Supermarket	1 Hornsey Rise	N19 3PP.	8am - 11pm (M-S)/10-10.30 (SUN)8am - 11pm/10-10.30
Shell Service Station	89 Hornsey Rise,.		24 hour
Costcutter	Ground Floor Shop, 495-497 Hornsey Road,	N19 3QL.	7am-1am (M, T,W), 7am-2am (T,F,S) 9am - 12(S)
Becky's,91	91 Dresden Road	N19 3BG	8am - 11pm (M-S)/10-10.30 (SUN)
Whitehall Wines	89 Cheverton Road,		8am - 11pm (M-S)/10-10.30 (SUN)
Crouch Hill Supermarket	60 Crouch Hill,.	N4 4AD	8am - 11pm (M-S)/10-10.30 (SUN)
Aksu Supermarket	52 Cressida Road,	N19 3LB	8am - 11pm

The area is well served by off licences to the extent that it could be argued that the area is saturated. Given that the area already has a street drinking problem another off licence would exacerbate the situation and ultimately undermine the licensing objectives.

Licensing Policy 4

This policy outlines the Licensing Authority's approach to shops selling alcohol. It recognises that the statutory guidance issued to Local Authorities suggests that shops should be permitted to sell alcohol during opening hours unless there is 'good reason'. In view of the number of premises in the area and the existence of a street drinking problem Licensing Policy 4 is applicable to this application.

Licensing Policies 9 & 10

The operating schedule contains insufficient information to demonstrate that high standards of management will operate on the premises. The applicant does not appear to have considered the Licensing Policy in preparing the application, there is no reference to the local context and the proposed controls in the operating schedule relate solely to sale of alcohol to children and illicit sales of alcohol.

This is a new application as the previous premises licence was revoked as a result of underage sales and the sale of illicit alcohol. It is understood that there is a family connection between the new applicant and the previous licensees and managers of the business. This, combined with the lack detail in the operating schedule, indicates that granting this application could undermine the licensing objectives.

Summary and recommendations

The Licensing Authority has considered this application using the Licensing Policy framework, in particular:

- the location of the premises
- the style and hours of operation proposed by the applicant
- feedback from partners
- the management arrangements described in the operating schedule,

The applicant does not appear to have considered the local area, nor sought advice on measures to put in place to promote the licensing objectives indicating that the style of management will be reactive rather than proactive.

The Licensing Authority recommends that in order to promote the licensing objectives this application is refused.

Janice Gibbons
Service Manager
Janice.gibbons@islington.gov.uk
020 7527 3212

24 October 2013



ISLINGTON

Dadds LLP Licensing Solicitors
Crescent House
51 High Street
Billericay
Essex
CM12 9AX

Building Control Service
Planning and Development
222 Upper Street
London
N1 1XR

T 020 7527 5986
F 020 7527 5998
E geoff.weaver@islington.gov.uk
W www.islington.gov.uk

Our ref : GW
Your ref:

Date: 21 October 2013

Dear Sirs

**Licensing Act 2003
Representation from Responsible Authority for Health and Public Safety
Express Supermarket 81 Hazellville Road N19 3NB**

With reference to the recent application for a premises licence under the Licensing Act 2003 at the above named premises, as the health and safety consultant for the responsible authority for health and public safety I will be making a representation to this application.

At a survey of the premises on 25 March 2013 it was found that the requirements specified in the attached schedule were in need of urgent attention to ensure the existing arrangements at the premises are adequate for health and public safety.

The premises should be maintained in good condition. Staff should be trained in the health and safety measures applicable to the premises and the action to be taken in the event of an emergency or evacuation. Enclosed for the attention of the licensee are **Health and Safety Standards for Places of Assembly, Shops and Commercial Premises**.

This communication is without prejudice to the necessity of complying with any other statutory controls which may be applicable, whether administered by the council or by any other authority.

Please give notification of the commencement and completion of the works.

Should you require any advice or information please contact me at the above address.

Yours faithfully

Geoff Weaver
Senior Building Surveyor (Licensing Health and Safety)

**Islington Licensing Authority
Licensing Act 2003**

Representation form from Responsible Authority for Health and Public Safety

Name	Geoff Weaver
Job title	Senior Building Surveyor (Licensing Health and Safety)
Postal address	Islington Council, Building Control Service 222 Upper Street, London N1 1XR
email	geoff.weaver@islington.gov.uk
Contact telephone number	020 7527 5986
Name and address of the premises concerning the representation	Express Supermarket 81 Hazellville Road N19 3NB
Public Safety	The arrangements at the premises are insufficient for health and public safety. See attached requirements schedule.
Suggested conditions that could be added to the licence to remedy the public safety representation	The premises shall not be used under the licence until the requirements specified in the schedule dated 21 October 2013 have been completed and approved in writing by the responsible authority for health and public safety.

Signed: _____ Date: _____

Please return this form along with any additional sheets to: Applicant and 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.

**Licensing Act 2003 – Requirements schedule dated 21 October 2013 for
Express Supermarket 81 Hazellville Road N19 3NB**

- (1) Mechanical extract ventilation should be installed in the toilet extracting direct to external air at a rate of not less than 6 litres/second. The extract fan should have a 15 minute over-run controlled by the light switch or occupant detecting sensor. Air inlet to the toilet should be provided, e.g. 10mm gap under the door.
- (2) The existing fire alarm and fire detection system should be overhauled and put into full working order in accordance with BS 5839 – 1. Fire alarm sounders should give clear audible warning of 65 dB(A) in all areas of the premises.
- (3) In addition to the lighting, emergency lighting in compliance with BS 5266 – 1 should be provided in the trading area of the shop so all gangways are clearly illuminated.

Note: Non-maintained emergency lighting should be wired to the local lighting circuit in such a manner as to operate not only in the event of failure of the mains supply but also on failure of the supply to the local lighting circuit.

- (4) One foam fire extinguisher (rating 13A) and one carbon dioxide fire extinguisher (rating 34B) should be provided adjacent to the entrance/exit door.

Fire extinguishers should be on brackets or stands and located so as not to obstruct exit routes or cause a hazard to persons in and about the premises.

Appropriate signs should be fixed adjacent to the fire extinguishers indicating the type of fire fighting appliance and the class of fire covered.

- (5) Copies of the inspection and test certificates specified below, certified by an approved competent person, should be submitted to the responsible authority for health and public safety.

- Emergency lighting
- Fire alarm
- Fire fighting appliances

An approved competent person for the testing and certification of electrical installations and emergency lighting should be one of the following:

- (i) A qualified member of the Institution of Engineering and Technology, or
- (ii) A contractor enrolled with the National Inspection Council for Electrical Installation Contracting, or a member of the Electrical Contractors Association, or a competent person from an appropriate approved organisation.

For fire alarms any of the above, or
A member of the Loss Prevention Council 1014 Scheme, or a member of the British Approvals for Fire Equipment SP203 Scheme.

Inspection and service certificates for fire fighting appliances should be obtained from an organisation certified by the British Approvals for Fire Equipment (BAFE), or a competent person from an appropriate approved organisation.

- (6) On inspection of the arrangements at the premises, any additional health and public safety requirements found to be necessary should be carried out without delay.



ISLINGTON

PUBLIC PROTECTION DIVISION

Trading Standards
222 Upper Street
London N1 1XR

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

Please reply to: Doug Love

MEMO TO:

**LICENSING TEAM
222 UPPER STREET**

Our Ref:
Your Ref: dd/lb/ASL1-1
Date: 21/10/2013

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Express Supermarket, 81 Hazellville Road, N4 3PX

I have had the opportunity to examine the application for a new premises licence made by Mehmet Aslan on behalf of Trading Standards and wish to make the following representation.

1. This previous premises licence for this location was revoked after Trading Standards applied for it to be reviewed following an underage sale of alcohol and a large seizure of wine. This decision was upheld at Magistrates Court on appeal.
2. At the time of the review and the appeal, the business was owned by two partners Ibrahim Aslan and Zeki Erdogan, the latter also being licensee and DPS. Mehmet Aslan, the applicant, is Ibrahim's son and worked in the business at the time of the events that led to the review. As far as I am aware, the ownership of the business remains the same.
3. Neither Mr Aslan nor his representative approached Trading Standards prior to making this application. I have not spoken with either since the application was received.
4. No evidence, beyond the offering of conditions that Trading Standards regularly request, has been provided that the management of the business has changed in any respect, let alone that the management has improved significantly as LP10 states is necessary.
5. Should evidence of improved management be forthcoming, I believe that the LS-C are the appropriate body to evaluate it, so I will not withdraw this representation. On what I have seen at the moment, however, I recommend that the application is refused.
6. Should the LS-C feel it appropriate to grant the application, I suggest that they should consider a condition that ensures the applicant, rather than the current owners, is the person making decisions about licensable activities at the premises.

I believe these representations are appropriate and proportionate and are consistent with the Licensing Act and Islington Council's Licensing Policy 2013-16.

Doug Love
Principal Consumer Services Officer

Suggested conditions of approval consistent with the operating schedule

1. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
2. No spirits shall be purchased in a resealed box.
3. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
4. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
5. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
6. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
7. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.
8. 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.
9. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
10. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the PASS logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
11. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

Suggested conditions of approval from the Noise Team

1. A prominent and clear notice shall be displayed at the premises exit requesting customer to be considerate to local residents by leaving the premises and the area quietly.
2. Noise or vibration must not emanate from the roof top refrigeration condensing units to the rear of the premises to cause a nuisance to nearby properties.

Suggested conditions of approval from Health & Safety

3. The premises shall not be used under the licence until the requirements specified in the schedule dated 21 October 2013 have been completed and approved in writing by the responsible authority for health and public safety.



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	26 November 2013	32	Bunhill

Delete as appropriate	Exempt	Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
RE: 5 CLERKENWELL ROAD, LONDON EC1M 5PA

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:
 - i) Supply alcohol for consumption on the premises 12:00 to 23:00 Monday to Sunday.
 - ii) Agree the opening hours from 06:00 to midnight Monday to Sunday.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 19 of the Licensing Act 2003.
- 2.2 To consider that this address is in the Bunhill 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.
- 2.3 If the Committee grants the application it should be subject to:
 - i) conditions of the current premises licence;