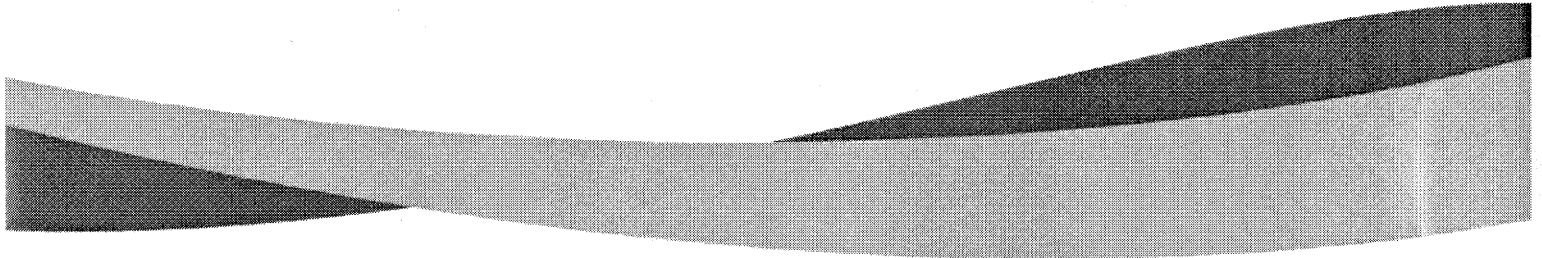




Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward
Licensing Sub-Committee	1 May 2012	33	Caledonian

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE REVIEW APPLICATION
RE: MARATHON, 193a CALEDONIAN ROAD, LONDON N10SL**

1. Synopsis

- 1.1 This is an application by the Metropolitan Police for a Review of the Premises Licence under Section 51 of the Licensing Act 2003. A copy of the review application is attached as Appendix 1.
- 1.2 The grounds for review are related to the licensing objectives:
 - i) Crime and Disorder;
 - ii) Public Safety;

2. Recommendations

- 2.1 To determine the application to review the premises licence under Section 52 of the Licensing Act.
- 2.2 The Committee must have regard to the application and any relevant representations. The Committee must take such steps as necessary for the promotion of the four licensing objectives.
- 2.3 The steps stated in Sections 52(4) of the Act are as follows:
 - a) to modify the conditions of the licence; and for this purpose the conditions of the licence are modified if any of them are altered, omitted or any new condition is added;
 - b) to exclude a licensable activity from the scope of the licence;

- c) to remove the designated premises supervisor;
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence;
- f) the Committee also have the option to leave the licence in its existing state;
- g) the Committee also has the power in relation to steps a) and b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

3. Background

3.1 The premises is currently licensed for the sale of alcohol for consumption on and off the premises Monday to Sundays from 10:00 to 02:00 Monday to Saturday and 12:00 to 00:30 on Sunday, for regulated entertainment (live music, performance of dance, facilities for making music and facilities for dancing) 09:00 to 03:00 Monday to Sunday, regulated entertainment (recorded music) 24 hours daily and late night refreshment 23:00 to 02:30 Monday to Saturday and 23:00 to 01:00 on Sunday. .

3.2 Papers are attached as follows:-

- Appendix 1: application form and police evidence;
- Appendix 2: current premises licence;
- Appendix 3: resident and noise team representations;
- Appendix 4: suggested conditions and map of premise location.

3.3 The Licensing Authority has received 1 letter of representation from a local resident and one representation from the noise team.

4. Planning Implications

No restrictions regarding the hours or class use.

5. Conclusion and reasons for recommendations

4.1 The Council is required to consider this application for review in the light of all relevant information from the applicant and the licence holder. It may attach such conditions necessary to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance

Signed by

James Gibbons
Service Director – Public Protection

Date 19/4/12

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Katie Tomashevski

Tel: 020-7527-3882

Fax: 020-7527-3057

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

Application for the Review of a Premises Licence or Club Premises Certificate 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 **Sgt Robin Clark**

(insert name of applicant)

apply for the review of a premises licence under Section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below *(delete as applicable)*

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description: Marathon Restaurant , 193a Caledonian Road	
Post town: Islington	Post code (if known): N1 0SL
Name of premises licence holder or club holding club premises certificate (if known): Tesfa Wassihun , Dessalegn Billegn , Jemal Albagero.	
Number of premises licence or club premises certificate (if known): 88571	

Part 2 – Applicant details

am:

Please tick yes

- (1) an interested party (please complete (A) or (B) below)
- (a) a person living in the vicinity of the premises
- (b) a body representing persons living in the vicinity of the premises
- (c) a person involved in business in the vicinity of the premises
- (d) a body representing persons involved in business in the vicinity of the premises
- (2) a responsible authority (please complete (C) below)
- (3) a member of the club to which this application relates (please complete section (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Any other title (e.g. Rev.)

Surname

First Names

I am 18 years old or over (Please tick yes)

Current postal address if different from premises address

Post town

Post code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF INDIVIDUAL APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Sgt Robin Clark , Islington Police Station, 2 Tolpuddle Street, N1 0YY

Telephone number (if any)

0207 421 0248

E-mail address (optional)

ni_licensing@met.police.uk

This application to review relates to the following licensing objective(s):

Please tick one or more boxes

- (1) the prevention of crime and disorder
- (2) public safety
- (3) the prevention of public nuisance
- (4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1):
Marathon Restaurant in Caledonian Road has been the scene of repeated violent crimes over the last 12 months. The level of violence is wholly disproportionate to similar well managed venues in the area. Despite previous warnings the management appear unable to address the problems.

A statement dated February 2012 summarising the police evidence in this case is attached.

The police invite the sub-committee to curtail the opening hours until 11pm as a proportionate and necessary step to promote the licensing objectives.

Please provide as much information as possible to support the application (please read guidance note 2):
See attached Statement for full details.

RESTRICTED

Have you made an application for review relating to this premises before?

(Please tick yes)

If yes, please state the date of that application:

Day		Month		Year			

If you have made representations before relating to this premises please state what they were and when you made them:

RESTRICTED

(Please tick yes)

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 4). 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 5):	
Post town:	Post code:
Telephone number (if any):	
If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional):	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

WITNESS STATEMENT

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

Statement of **Robin Clark PS45NI**..... URN:

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Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: **Police Officer 181475**

This statement (consisting of: ... **5** pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date:

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

My name Robin Clark and I am a Police Sergeant with the Metropolitan Police Service. I currently work as a Licensing Officer at Islington Police Station. I have been given this specific responsibility by the Borough Commander who is acting under the written delegated authority of the Commissioner of Police for the Metropolis. A copy of this authority has been lodged with Islington Council Legal Department.

This statement is submitted to support the application by the Metropolitan Police Service made under Section 51 of the Licensing Act 2003. This is for the review of a premises licence held for the premises at 193a Caledonian Road, N1 0SL and known as Marathon Restaurant & Bar.

The application for a review is on the basis of concerns in relationship to the following Licensing Objectives, namely:

- The prevention of crime and disorder
- Public Safety

DATA

The data in this report has been collated from various Polices indices. It has been taken from the CRIS

Signature: Signature witnessed by:

Continuation of Statement of **Robin Clark PS45NI**.....

system – the MPS computer database used to record all allegations of crime and the CAD system that records all calls to police. I have searched for the period covering from 1st February 2011 until 31st January 2012. Should anything after this date come to light before any hearing I will introduce it at the earliest opportunity. We hope to identify good practices as well as bad. Locations of incidents are taken from the victims accounts or as witnessed by police / CCTV.

SUMMARY OF INCIDENTS

CAD CALLS

Cad 1956 26th February 2011 @ 03.29 hours

Informant states males trying to kill him ... Group of Somali males armed with knives. No trace of males on police arrival. No offences disclosed.

Cad 1012 25th July 2011 @ 03.02 hours

Informant states attacked by 5-6 males in restaurant, he ran out when knife was produced. Informant now hiding under a car. All parties spoken to, no offences disclosed.

Cad 1347 4th September 2011 @ 02.18 hours + 1330 , 1336 , 1363 , 1372 , 1392 & 1397

7 calls to police all alleging large fight inside restaurant, glasses being used as weapons, male with head injury. X ref Cris 2722808/11.

Cad 997 11th September 2011 @ 01.36 Hours

Victim attacked with a bottle or glass, bleeding severely from head wound. Victim taken to hospital by premise owner. X ref Cris 2723375/11

CRIS REPORTS

2719471/11 25th July 2011 @ 0100 hours - Common Assault

Victim attended venue with his friends when he was approached by the suspect who asked the victim if he was gay. The victim was then punched in the face. The suspect was then joined by friends and the victim ran from the venue fearing for his safety, he hid in a nearby car park. He saw one of the suspects was armed with a knife. Police were called, however the suspects had left the area prior to police arrival.

2722808/11 4th September 2011 @ 0210 hours Actual Bodily Harm - ABH

Victim was at the bar paying for drinks when he was attacked from behind by a group of males. Upon police arrival the restaurant had been cleared and the scene cleaned. The victim was walking around shirtless bleeding from his head and chest. He was extremely drunk and reluctant to speak to police. The victim's friend who was also in the venue at the time of the assault started to harass the officers. His

Signature: Signature witnessed by:

Continuation of Statement of **Robin Clark PS45NI**.....

details were noted and he was asked continuously to leave the scene. He was arrested for being drunk and disorderly and found to be in possession of cannabis. It was noted by the reporting officer that all witnesses to this incident had consumed a considerable amount of alcohol which resulted in a negative impact on their ability to recall.

2722814/11 4th September 2011 @ 03.00 hours . Possession of Cannabis.

As above, searched upon arrest and cannabis found on his person. Admitted possession for personal use.

2723375/11 11th September @ 01.15 hours Grievous Bodily Harm - GBH

Victim was inside the restaurant when he was approached by the suspect who accused the victim of pushing him. Victim tried to reason with suspect who punched the victim in the face whilst holding a glass. The victim received a large wound to the head. The victim was driven to the hospital by the owner Mr Tesfa. The scene was cleaned; no call to police was received by the staff or owner of the venue. Suspect traced and charged.

2731915/11 11th December 2011 @ 0100 - Actual Bodily Harm - ABH

Victim was on the dance floor, suspect approached and head butted victim the in face for reason unknown. Victim suffered cuts to lips and pain to lower teeth. Suspect detained at venue. Victim's statement was unable to be taken at the time as victim was intoxicated.

2701706/12 22nd January 2012 @ 02.40 - Grievous Bodily Harm - GBH

Police were called to Caledonian Road j/w Copenhagen St to a large fight between males armed with sticks. The males dispersed on arrival of police. The victim was found crouching on the pavement with lacerations to the back of his head. Victim refused to assist police. Informant came forward, stated he didn't see what happened in the venue but saw the victim being dragged from the venue by 3-4 males. He saw them beat the victim with a bottle. They then decamped in a vehicle.

Mr Tesfa has been spoken to twice by the Police Licensing Officers in relation to this assault. On the first occasion he stated that it was not his customers that were involved but patrons of the nearby Sweet Café. On the second occasion Tesfa was interviewed under caution and gave a different account of what happened. He was asked to provide CCTV footage from inside the venue which would confirm that those involved were not patrons of Marathon; he stated no one at the venue can operate the system but police were welcome to seize it.

Part of this incident is captured on the Council CCTV , it shows a small fight outside the restaurant involving patrons of Marathon prior to the main event. The males are seen crossing Caledonian Rd where they go out of camera shot. They are picked up again in Copenhagen Street where the main attack takes place. The CCTV will be made available to the Committee and Mr Tesfa for viewing.

Signature: Signature witnessed by:

Continuation of Statement of **Robin Clark PS45NI**.....

DIALOGUE.

Mr Tesfa has held the licence for Marathon for a considerable time both under the new and old regimes. During this time he has been spoken to by police and the Council licensing officers on several occasions regarding his ability to operate his licence in accordance with the licensing objectives.

On the 23rd February 2007 Mr Tesfa was invited into a Licensing Officers Panel as he was found trading in breach of his licence, there were also concerns regarding the sobriety of his patrons. Advice was offered to assist him to promote the licensing objectives.

On 18th October 2007 Mr Tesfa was again invited into a panel hearing following further breaches of the licence. Again concerns were expressed regarding the sobriety of the patrons of Marathon.

Following the GBH on 11th September 2011 the police licensing officers attended Marathon. Mr Tesfa was not present at that time. A female who eventually admitted to being the manager and Mr Tesfa's estranged wife was informed that should further serious assaults occur that were connected to the venue then police would consider calling for a review of the licence. She was also advised re allowing drunkenness on the premise.

Mr Tesfa was to be invited into a third panel hearing following the assault in December, however due to an administration error the invite was never sent out.

SUMMARY

Mr Tesfa has been the owner of Marathon for a number of years. During this time he has been spoken to by police and Council Officials on several occasions regarding his ability to manage a licensed premise.

He has attended 2 panel hearing where advice has been offered but still the venue comes to notice for all the wrong reasons.

Mr Tesfa has installed a CCTV system at the venue but has not taken any steps to get him or any member of his staff trained to operate the system.

Door Supervisors are employed at the weekend; however they appear to have no control of the door. They can be seen in the CCTV footage opening the door and allowing the perpetrators of the latest crime back into the venue. They also make no attempt to stop the fight at the door which escalates into the serious assault in Copenhagen St.

The assaults connected to Marathon all take place in the early hours of the morning between 1am and 3.30am and all involve high levels of intoxication.

It is the contention of Police that there have been too many incidents of violence perpetrated by the patrons of Marathon.

The venue is in a residential area so also gives cause for complaint by the public.

Signature: Signature witnessed by:

Continuation of Statement of **Robin Clark PS45NI**.....

We realise the implications for such a business that does not attract it's customers until after midnight but we feel that in the interests of public safety and the prevention of crime and disorder we have no other option than to seek a cut back in the operating hours of the venue to 11pm.

Signature: Signature witnessed by:



04th.March2012.

Re: Marathon Restaurant
Anne Brothers
Licensing Team
Public Protection Division
222 Upper St
London N1 1YA

Dear Sir/Madam,

One of the negatives of living at my address is that I have to live opposite the Marathon night club.

During the past seven years I have seen a change in the clientele at the Marathon from couples to groups of males.

This has led to an increase in drunken fighting and shouting in the areas around these premises... a lot of which occurs around the 3 am closing time.


To me this increase in violence/noise is unacceptable in my neighbourhood.

Therefore, I would like measures put in place in order to stop the fighting, noise and drunken behaviour.

I don't want the owners of this night club to move elsewhere, I would just like its patrons to have to behave themselves better.

If nothing is done what could happen is that one of the customers themselves could get seriously hurt.

Yours sincerely,





**Islington Licensing Authority
Licensing Act 2003**

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

Your Name	Anne Brothers
Job Title	Principal Technical Officer – Noise Liaison
Postal and email address	222 Upper Street, London N1 1XR
Contact telephone number	020 7527 3047

Name of the premises you are making a representation about	Marathon,
Address of the premises you are making a representation about	193 Caledonian Road, London N1 0SL

<i>Which of the four licensing Objectives does your representation relate to?</i>	<i>Yes Or No</i>	<i>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder		
Public safety		
To prevent public nuisance	Yes	
To protect children from harm		

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 and refer to checklist.	Noise team have been contacted on a number of occasions over the past 12 months by a local resident in connection with noise outside the premises caused by customers fighting. See attached sheet for a schedule of calls received. There are no conditions that could be suggested to combat the reports of noise from fighting and disorder outside the premises.
---	---

Signed: Anne Brothers Date: 7/3/12

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 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

Date	Details of call	Actions taken
14/1/11	Call from local resident in connection with fighting at Marathon over the Christmas holiday period	Referred to Licensing to discuss with police. Resident advised to call the Police directly in the event of further incidents.
5/5/11	Call from local resident in connection with fighting and disorder outside the premises over the Easter holiday period	Advised to call the Police and NP in order for us to witness any noise from disorder outside. Contacted Licensing Police directly to inform them of further reports received.
5/9/11	Noise Diary received from the resident in connection with incidents of fighting and disorder outside the Marathon (see below)	Replied to resident and copied Police to the diary sent in.

Resident's Noise Diary notes received 5/9/11

Re: The Marathon

Sat 20th Aug 2011 approx 3am...A big fight started between customers leaving the Marathon..began on corner of Cally & Copenhagen St...bottles thrown etc..An Ethiopian man was chased down Copenhagen St.by 2 Marathon customers & on the pavement outside my flat punched to the ground...He was then repeatedly kicked, until he lost consciousness. The 2 other males ran off in the direction of York Way... A big crowd had gathered outside the Marathon but nobody crossed the road to help him..so I put my shoes on to go downstairs..the beaten man then recovered got up unsteadily & staggered down Copenhagen St.

Sat 27th August 2011 approx 1am...Some kind of disturbance outside front door of Marathon..didnt see incident..Police called I think by Door Security at Venue..3 Police arrived..noisy for rest of evening.

Sat 3rd September 2011 approx 2.15am...Very busy night outside the Marathon..on the Cally the Merkato was also open to 2am..Very noisy..people urinating in the street..some younger customers admitted to venue when so drunk could hardly stand..people in & out of building singing etc..cars pulling up outside customers still being admitted at 2am..some customers refused entry but still standing outside venue...At 2.15 am some kind of fight occurred inside Marathon..people running from venue via main door & fire escape..women screaming etc..fighting males then followed!..Venues lights on & Venue then closed..Door man called police..2 police cars & ambulance attended..males outside asked to leave..police still there at 3am...incident also witnessed by my son.

This is only a small bar!..living opposite it especially this summer has been difficult..far too many young drunk males standing outside..large groups of males are the main customers,

not the families that used to go there..insufficient security to control the customers, only one doorman..somebody, unless something is done soon is going to get seriously hurt at the Marathon. This year the amount of fighting has really increased.

**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	88571		
Postal address of premises, or if none, ordnance survey map reference or description	MARATHON RESTAURANT & BAR 193A CALEDONIAN ROAD		
Post town	London	Post code	N1 0SL
Telephone number	020 7837 4499		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground Floor
<ul style="list-style-type: none"> • The provision of regulated entertainment by way of: The performance of live music The playing of recorded music The performance of dance • The provision of entertainment facilities for: Making music Dancing • The provision of late night refreshment • The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities																																			
<ul style="list-style-type: none"> • The provision of regulated entertainment for the performance of live music: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Monday</td> <td style="width: 15%;">09.00</td> <td style="width: 5%;">to</td> <td style="width: 15%;">03.00</td> <td style="width: 55%;">the following day</td> </tr> <tr> <td>Tuesday</td> <td>09.00</td> <td>to</td> <td>03.00</td> <td>the following day</td> </tr> <tr> <td>Wednesday</td> <td>09.00</td> <td>to</td> <td>03.00</td> <td>the following day</td> </tr> <tr> <td>Thursday</td> <td>09.00</td> <td>to</td> <td>03.00</td> <td>the following day</td> </tr> <tr> <td>Friday</td> <td>09.00</td> <td>to</td> <td>03.00</td> <td>the following day</td> </tr> <tr> <td>Saturday</td> <td>09.00</td> <td>to</td> <td>03.00</td> <td>the following day</td> </tr> <tr> <td>Sunday</td> <td>09.00</td> <td>to</td> <td>03.00</td> <td>the following day</td> </tr> </table>	Monday	09.00	to	03.00	the following day	Tuesday	09.00	to	03.00	the following day	Wednesday	09.00	to	03.00	the following day	Thursday	09.00	to	03.00	the following day	Friday	09.00	to	03.00	the following day	Saturday	09.00	to	03.00	the following day	Sunday	09.00	to	03.00	the following day
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Saturday	09.00	to	03.00	the following day																															
Sunday	09.00	to	03.00	the following day																															



ISLINGTON

- The provision of regulated entertainment for the playing of recorded music:

Monday	00.00	to	24.00
Tuesday	00.00	to	24.00
Wednesday	00.00	to	24.00
Thursday	00.00	to	24.00
Friday	00.00	to	24.00
Saturday	00.00	to	24.00
Sunday	00.00	to	24.00

- The provision of regulated entertainment for the performance of dance:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	03.00	the following day
Thursday	09.00	to	03.00	the following day
Friday	09.00	to	03.00	the following day
Saturday	09.00	to	03.00	the following day
Sunday	09.00	to	03.00	the following day

- The provision of entertainment facilities for making music:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	03.00	the following day
Thursday	09.00	to	03.00	the following day
Friday	09.00	to	03.00	the following day
Saturday	09.00	to	03.00	the following day
Sunday	09.00	to	03.00	the following day

- The provision of entertainment facilities for dancing:

Monday	09.00	to	03.00	the following day
Tuesday	09.00	to	03.00	the following day
Wednesday	09.00	to	03.00	the following day
Thursday	09.00	to	03.00	the following day
Friday	09.00	to	03.00	the following day
Saturday	09.00	to	03.00	the following day
Sunday	09.00	to	03.00	the following day

- The provision of late night refreshment:

Monday	23.00	to	02.30	the following day
Tuesday	23.00	to	02.30	the following day
Wednesday	23.00	to	02.30	the following day
Thursday	23.00	to	02.30	the following day
Friday	23.00	to	02.30	the following day
Saturday	23.00	to	02.30	the following day
Sunday	23.00	to	01.00	the following day

- The sale by retail of alcohol:

Monday	10.00	to	02.00	the following day
Tuesday	10.00	to	02.00	the following day
Wednesday	10.00	to	02.00	the following day
Thursday	10.00	to	02.00	the following day
Friday	10.00	to	02.00	the following day
Saturday	10.00	to	02.00	the following day
Sunday	12.00	to	00.30	the following day

Except on:

New Year's Eve, except on a Sunday, 10.00 until the time authorised on the following day

New Year's Eve on a Sunday, 12.00 to until the time authorised on the following day

The morning on which summer time begins the sale of alcohol is authorised until 03.00 hours

Sundays immediately before a bank holiday, other than Easter Sunday, the sale of alcohol is authorised to 02.00 hours

If there are no permitted hours on the following day, midnight on 31st December.

The opening hours of the premises: Not Specified

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On and off supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Mr Tesfa Wassihun
16 Hornbeam House
Maitland Park Villas
London NW3 3EJ

Mr Dessalegn Billelegn
193 Caledonian Road
London N1 0SL

Mr Jemal Albagero
2a Hayland Close
London
NW9 0LH
07956924531
awassihun@aol.com

Registered number of holder, for example company number, charity number (where applicable)

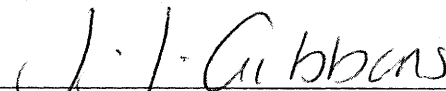
Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Dessalegn Billelegn
193 Caledonian Rd
London N1 0SL
07956924531

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

88488 – London Borough of Islington

Islington Council
Public Protection Division
159 Upper Street
London
N1 1RE
Tel: 020 7527 3031/3803
Email: licensing@islington.gov.uk


Assistant Director - Public Protection

Date of Issue

5th July 2006

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence-
 - a at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003

Annex 2 - Conditions consistent with the Operating Schedule

1. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means the authorised hours specified on this licence for the sale by retail of alcohol. This restriction does not prohibit:
 - a during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
 - b during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - c during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - d consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - e the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - f the sale of alcohol to a trader or club for the purposes of the trade or club;
 - g the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - h the taking of alcohol from the premises by a person residing there; or
 - i the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - j the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours for the sale by retail of alcohol unless one of the following applies:
 - a He is the child of the holder of the premises licence.
 - b He resides in the premises, but is not employed there.

c He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

d The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

3. The sale of alcohol is not authorised after midnight on any day on which music and dancing is not provided after midnight.

On any day that music and dancing ends between midnight and two o'clock in the morning the sale of alcohol shall cease when the music and dancing end.

The sale of alcohol shall cease at midnight on any Sunday on which music and dancing is not provided after midnight;

Where music and dancing end between midnight on any Sunday and 00.30hours, sale of alcohol on that Sunday shall end when the music and dancing end.

Where music and dancing end between midnight and 02.00 hours on any Sundays immediately before a bank holidays the sale of alcohol on that Sunday shall cease when the music and dancing end.

The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:

- Children and Young Persons Act 1933
- Cinematograph (Safety) Regulations 1955
- Sporting Events (Control of Alcohol Etc) Act 1985

5. The licence is subject to the following Additional Conditions referred to in the Standard Conditions for Places of Public Entertainment:

- ADDITIONAL CONDITIONS D: APPLICABLE TO PREMISES USING DOOR SUPERVISORS.
- ADDITIONAL CONDITION GO: APPLICABLE TO THE KEEPING OF GOOD ORDER.
- ADDITIONAL CONDITIONS SX: FOR PARTICULAR CONTROL OVER STRIPTEASE OR SIMILAR ENTERTAINMENT INVOLVING NUDITY.

6. A sound limiter shall be set and maintained on the premises and levels in the ground floor shall not exceed the following:
 - **97dB(linear) L_{eq} (5mins)**
 - **95 dB(A) L_{eq} (5mins)**
7. All readings to be taken at the front section of the premises between the bars with the sound level meter facing the speakers at a distance of 3 metres and a height of 1.5 metres.
8. A notice shall be displayed in the premises asking patrons to leave quietly and this notice shall be displayed in Ethiopian and English.
9. At least one door supervisor, registered with the SIA, shall be employed when the license is in operation to assist with ensuring that patrons leave the premises quietly and that noise breakout is minimised.
10. The licensees shall take steps to ensure that the internal double doors shall not be opened at the same time as the external double doors at the premises.
11. The licence shall be subject to the Council's standard conditions for Places of Entertainment
12. The licence shall be subject to the Council's technical standards for Places of Entertainment

The maximum number of persons accommodated at any one time in the premises shall not exceed the following:

- Ground Floor 100

Annex 3 - Conditions attached after a hearing by the licensing authority


Annex 4 – Plans

Reference Number: 88571-10/04/06

Suggested conditions

As per current licence



 **ISLINGTON**

Scale: 1:1250	Date: 19 April 2012
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