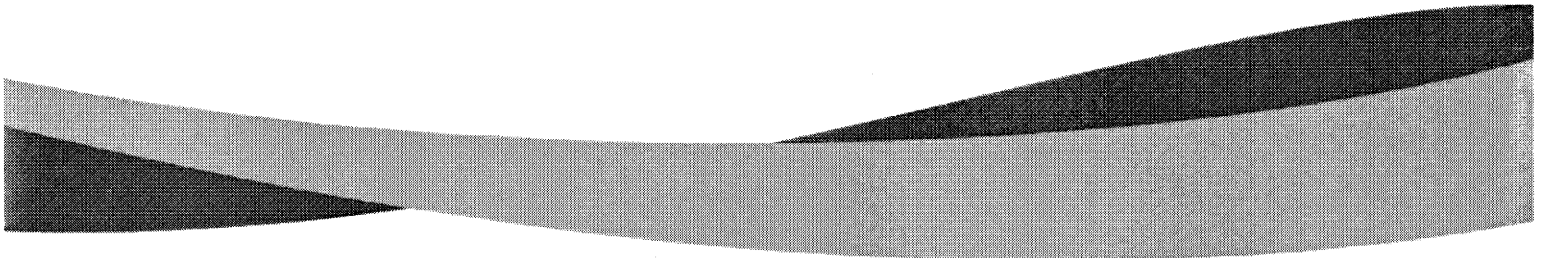




Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	2 July 2012	B2	Bunhill

Delete as appropriate	Exempt	Non-exempt



**Subject: PREMISES LICENCE NEW APPLICATION**  
**City Supermarket, 190 Goswell Road, London EC1V 7DT**

**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 the sale of alcohol between 8:00am and 1:00am, Mondays to Saturdays, and between 8:00am and 00:00, Sundays, for consumption off the premises.
- 1.3 The application is subject to representation from the Metropolitan Police Service and Islington's Trading Standards Service.

**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 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 On 24 November 2005 the premises licence was first granted following a conversion application from the former Justices' Licence. The authorised hours for the sale of alcohol were 08:00 to 23:00, Monday to Saturday, and 10:00 to 22:30, Sunday. The Licensee and DPS were named as Ibrahim Unek.
- 3.2 On 19 April 2006 representatives from the premises attended Licensing Officer Panel following failed test purchases to under age children.
- 3.3 On 24 July 2006 an application for review was made by Trading Standards. The review was following two failed test purchases to under age children.
- 3.4 On 13 September 2006 the review was determined by the Licensing Sub Committee where 8 conditions were imposed on the licence.
- 3.5 On 22 September 2006 Atay Kasapoglu made an application for the licence to be transferred into his name and to become the DPS. The applications were granted.
- 3.6 On 15 August 2008 Licensing Officers attended the premises and found Salman Capti Snr acting as the manager of the premises.
- 3.7 On 18 August 2008 Salman Capti Snr made a request for a duplicate copy of the Premises Licence Summary.
- 3.8 On 1 September 2008 Atay Kasapoglu attended Licensing Officer Panel following failed test purchases to under age children.
- 3.9 On 8 June 2009 Atay Kasapoglu attended Licensing Officer Panel following failed test purchases to under age children.
- 3.10 On 8 June 2011 an application for review made by Trading Standards was received after seizures of counterfeit and smuggled goods.
- 3.11 On 28 June 2011 Salman Capti Snr made an application for the licence to be transferred into his name and to become the DPS. These applications were objected to by the Police and were withdrawn at the hearing on 22 August.
- 3.12 On 22 August 2011 the licence was revoked by the Licensing Sub Committee following the review. This decision is subject to ongoing appeal which is yet to be determined. The premises continues to operate under the premises licence held by Atay Kasapoglu, pending the outcome of the appeal.
- 3.13 On 8 September 2011 a new premises licence application was made for a premises licence by Salmon Capt Snr. This application was refused by LSC on 3 November 2011. The decision was appealed and on 20 March 2012 the refusal was upheld.
- 3.14 On 17 April 2012 a new premises licence application was made by Umut Capti, Salmon Capti Snr's son. This application was subsequently withdrawn on 30 April 2012.

- 3.15 On 3 May 2012 this current premises licence application was made by Salmon Capti Jnr, Salmon Capti Snr's son.
- 3.16 On 30 May 2012 Umut Capti's personal licence application was refused by the London Borough of Tower Hamlets.
- 3.17 In a statement dated 18 January 2012 presented to Highbury Magistrates Court, Salmon Capti Snr states that he has owned business since 22 September 2006. He further states that Atay Kasapoglu is his son in law.
- 3.18 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.
- 3.19 Representations were received from Islington's Noise and Trading Standards Teams and the Metropolitan Police. Noise Teams have withdrawn their representations on the basis that the applicant has accepted their proposed conditions. The applicant has agreed to the imposition of Trading Standards proposed conditions however their representation has not been withdrawn.

**4. Planning Implications**

- 4.1 The Planning Team have confirmed that the premises has the requisite planning consent and there are no restrictions on the hours of operation.

**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**

*Jaime Gibbons*  
 Service Director – Public Protection

Date 21/6/12

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Simon Gallacher

Tel: 020 7527 3879

E-mail: [simon.gallacher@islington.gov.uk](mailto:simon.gallacher@islington.gov.uk)

Appendix 1

TL <sup>ae</sup> 3/5/12  
OK?  
3/5/12

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 Salman Capti  
(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 City Supermarket 190-194 Goswell Road			
Post town	London	Post code	EC1V 7DT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£44500

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) ~~an individual or individuals \*~~  please complete section (B)
- ~~a person other than an individual \*~~  please complete section (B)

Recognised club

c) ISLINGTON COUNCIL LICENSING	
Date a charity	3/5/12 Fee Paid 315
Cash/Cheque Number (please circle)	100290
Receipt Number	53689
Received By	JW

- 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)	
<b>Surname</b> Capti			<b>First names</b> Salman		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
<b>Current postal address if different from premises address</b>		Flat 45 Mary MacArthur House Warley Street			
<b>Post Town</b>	London			<b>Postcode</b>	E2 0DQ
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**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)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

<b>Current postal address if different from premises address</b>			
<b>Post Town</b>		<b>Postcode</b>	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**(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
3	0	05 2012

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 note1)  
Please refer to the enclosed plan

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

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

**Provision of entertainment facilities:**

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

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

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

**In all cases complete boxes N, O and P**

**A**

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



**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><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></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

**E**

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

**F**

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

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**H**

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

I

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



J

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

**K**

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

L

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

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Both</b> <input type="checkbox"/>		
Mon	08:00	01:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) N/A		
Tue	08:00	01:00			
Wed	08:00	01:00			
Thur	08:00	01:00			
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	00:00			
			<b>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</b> (please read guidance note 5) N/A		

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

<b>Name</b> Salman Capti	
<b>Address</b> Flat 45 Mary MacArthur House Warley Street London	
<b>Postcode</b>	E2 0DQ
<b>Personal Licence number (if known)</b> 11511	
<b>Issuing licensing authority (if known)</b> London Borough of Tower Hamlets	

**N**

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

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) N/A
Day	Start	Finish	
Mon	08:00	01:00	
Tue	08:00	01:00	
Wed	08:00	01:00	
Thur	08:00	01:00	
Fri	08:00	01:00	
Sat	08:00	01:00	
Sun	08:00	00:00	

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

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

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times

**b) The prevention of crime and disorder**

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities.

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.

The recording system will be able to capture a minimum of 4 frames per second. Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained. These records will be kept for a minimum of 6 months and available for inspection by request of the police or licensing authority.

All shelves stocking alcohol will not be accessible or and visible to customers outside of the permitted hours by a shutter.

No alcoholic goods will ever be purchased from sellers calling to the shop.

Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.

A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.

An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.

If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Trading Standards Department and HMRC as soon as possible.

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request. Any incidents that include physical altercation or disorder, physical ejection, injury or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be

written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book..

### **c) Public safety**

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

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H<sub>2</sub>O and CO<sub>2</sub>), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.

All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times

### **d) The prevention of public nuisance**

Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Trade waste agreement to be maintained at all times.

### **e) The protection of children from harm**

To protect the children from harm we have following steps taken

- 1- the premises are effectively and responsibly managed;
- 2- provision of a sufficient number of people employed or engaged
- 3- appropriate instruction, training and supervision of those employed or engaged

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

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

Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; signs and symptoms of drunk persons, refusal of sale due to intoxication and that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records are signed and dated by the member of staff who undertakes the training.

A Software system that provides a till prompt relating to underage sales has been installed.

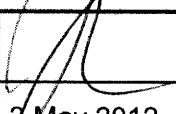
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	2 May 2012
Capacity	Authorised Agent

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Licensing Department  
NARTS  
55 Stoke Newington High Street











<b>Post town</b>	London	<b>Post code</b>	N16 8EL
<b>Telephone number (if any)</b>	020 7241 3636		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			

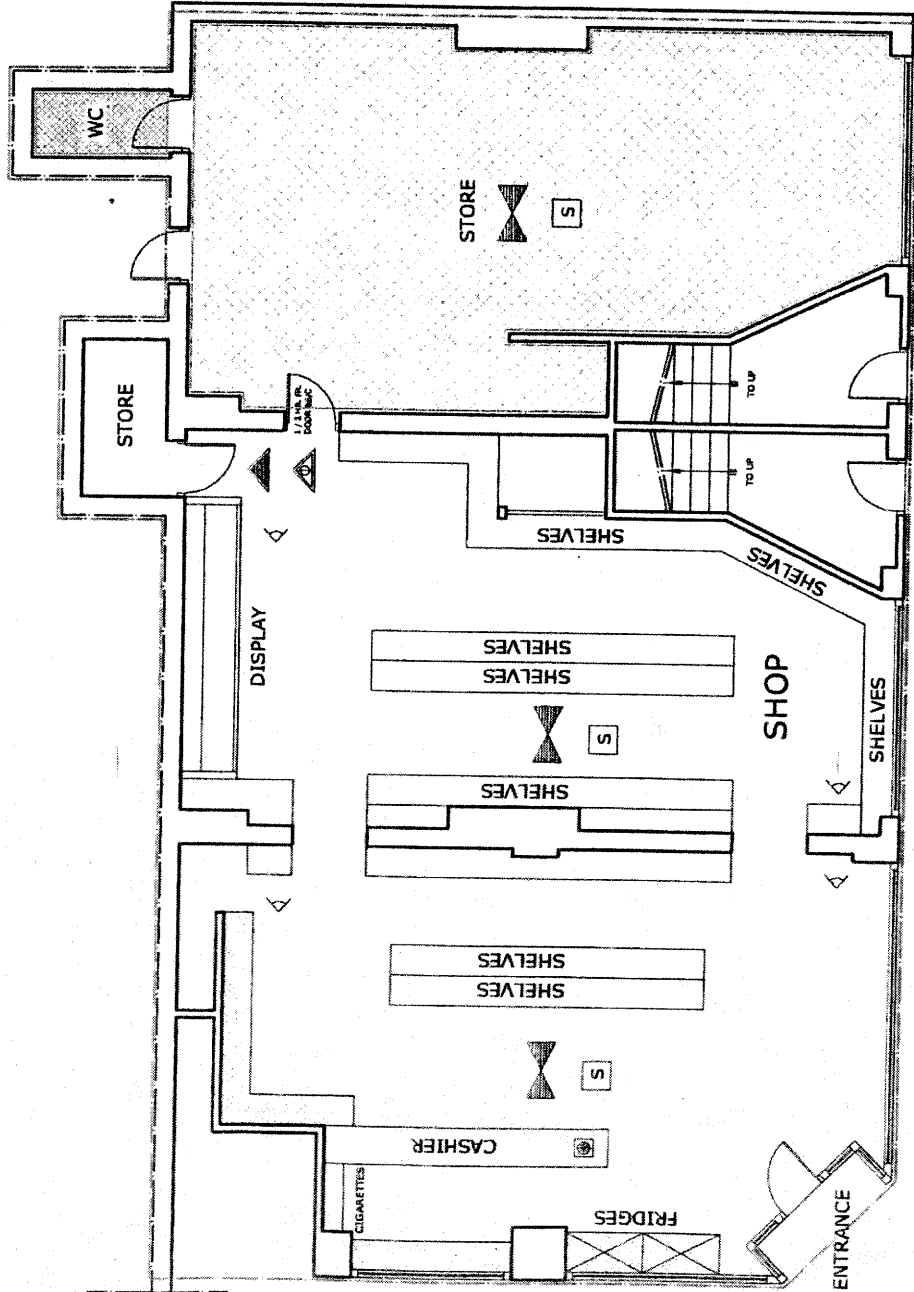


## Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

**LEGEND**

-  LIQUOR SALES
-  LIQUOR STORAGE
-  WC, PASSAGEWAY, ETC
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTING
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
-  CCTV
-  RED CARE ALARM SYSTEM



**EXISTING GROUND FLOOR**

**CITY SUPERMARKET**  
**190-194 GOSWELL ROAD**  
**LONDON EC1**

**EXISTING**  
**- GROUND FLOOR PLAN**

SCALE: 1/100	REF. NO : 94.05/05
DATE: MAR. 05	DRG BY: A.AY

**ANVA LTD.**  
**P.O. BOX 1827**  
**ILFORD, IG2 7WJ**  
 TEL: 020 8599 5036 FAX: 020 8586 4401  
 MOBILE: 077 10942923 / 079 31393989

Appendix 2

Police  
Rep 1

Your reference:

Our reference: Licensing/NI

Date: 14th May 2012

**NARTS  
Licensing Dept  
55 Stoke Newington High Street  
N16 8EL**



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

Tel: 020 7 421 0194

Fax: 020 7421 0138

Email: NI\_Licensing@met.police.uk

**RE: City Supermarket, 190-194 Goswell Road, EC1V 7DT**

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

Salman Capti Snr is the owner/sole director of City Supermarket. This has operated as a family run business since 2001.

In 2006 the licence was reviewed following two failed test purchases to under age children. On this occasion further conditions were added to the licence. Ibrahim Unek a business partner of Mr Capti was the DPS and PLH.

In 2011 once again the licence was reviewed following a further failed test purchase and the seizure of a large amount of counterfeit and smuggled alcohol. On this occasion the licence was revoked. The decision was appealed and was dismissed at Court. The PLH & DPS at this time was Atay Kasapoglu, Mr Capti's son-in-law.

In September 2011 Salman Capti Snr applied for a new premise licence. He was to be the premise licence holder and the DPS. Following objections from the Police and Trading Standards the application was refused.

This new application for a premise licence is in the name of Salman Capti Jnr. We are unable to offer any evidence to the detriment of Mr Capti Jnr.

However I would like to draw to the Committee's attention to a recent appeal hearing at Bromley Magistrates Court

[London Borough of Bexley v Mr Mohammed Rashid]. This case has similarities to Mr Capti's application.

The Judge in her summing up felt there should be a clear demarcation between the old and new operators. This is where Mr Capti's case fails. The property remains under the control of Capti family and there has been no material change of circumstance and therefore we invite the Sub Committee to refuse this application.

Police believe that these representations are relevant and proportionate to the licence application.

Robin Clark PS 45 NI  
Licensing Officer Islington Police  
c.c. Islington Council Licensing Team



**ISLINGTON**

**PUBLIC PROTECTION DIVISION**

Trading Standards  
222 Upper Street  
London N1 1XR

*Trading Standards  
Rep 2*

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

Please reply to: Doug Love

**MEMO TO:**

**LICENSING TEAM  
222 UPPER STREET**

Our Ref:  
Your Ref:  
Date: 25/05/12

## **LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY**

**City Supermarket, 190-4 Goswell Road, EC1V 7DT**

The application for a licence for the above premises has been examined by the Trading Standards Section. I wish to make the following representations.

### **1. Enforcement action**

1.1 In 2006 the premises licence at this address was reviewed after sales of alcohol had been made to underage volunteers working with Trading Standards. Conditions were added to the licence.

1.2 In January 2011 Trading Standards and HMRC officers visited City Supermarket at 190-4 Goswell Road and seized a very large quantity of illicit alcohol (ie. non-duty paid or counterfeit alcohol). Trading Standards applied for a licence review and on 22 August 2011 a Licensing Sub-Committee revoked the premises licence that was in the name of Atay Kasopoglu. This decision is currently subject to appeal.

1.3 In September 2011 Salman Capti Snr (the father of this applicant, I believe) applied for a new premises licence at this address. In November, the Sub-Committee decided to reject the application. This decision was appealed, but the Magistrates' Court did not allow the appeal.

### **2. Trading Standards' concerns**

2.1 The owner of the business at the time of both reviews and currently is City Supermarkets UK Ltd of which Salman Capti Snr. has been a director since 2001.

2.2 Given the history of the premises and Mr Capti Snr's continuing involvement with the business, I am concerned that there may be little real change in the management of the business and that the review process will be undermined if the licence is granted in the absence of compelling evidence that there has been significant improvement.

2.3 It is noted that Trading Standards 'standard' conditions relating to illicit alcohol are included in the operating schedule on this application. There are also proposals in the operating schedule that are similar to the standard conditions Trading Standards asks for under the objective of protecting children from harm.

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

3.1 I believe the use of the usual trading standards wording on the protecting children from harm objective should be used. These have the benefits of being consistent with what we are asking of other businesses and covering all the requirements that we have:

- The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences.
- The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff and make them available for inspection upon request by the licensing team, police or trading standards.
- The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age: that is proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
- 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.

### **4. Conclusion**

4.1 I would welcome agreement to the wording of these conditions. However, I do not believe it is appropriate to withdraw my representation, even if these are agreed.

4.2 Given the history of this business, I feel that it is important that the Sub-Committee have an opportunity to assess for themselves any evidence that the business will be managed in an improved manner and to establish whether the applicant is appropriate to be granted a premises licence.

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

Doug Love  
Principal Consumer Services Officer

**Suggested conditions of approval consistent with the operating schedule**

1. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 of any request. The recording system will be able to capture a minimum of 4 frames per second. Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and the data is securely being retained. These records will be kept for a minimum of 6 months and available for inspection on request by the police of licensing authority.
2. All shelves stocking alcohol will not be accessible or visible to customers outside of the permitted hours by shutters.
3. No alcoholic goods will ever be purchased from sellers calling to the shop.
4. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
5. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
6. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
7. If any spirits bought by the company have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards and HMRC as soon as possible.
8. An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request. Any incidents that include physical altercation or disorder, physical ejection, injury or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public, the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author. If the member of staff creating the entry has difficulties reading or writing, then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.
9. At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief staff at the close of business. Should there be no incidents then this will also be recorded at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.
10. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
11. Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H<sub>2</sub>O and CO<sub>2</sub>), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances shall be checked annually and comply with relevant British Standards.
12. All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times.
13. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
14. Trade waste agreement to be maintained at all times.

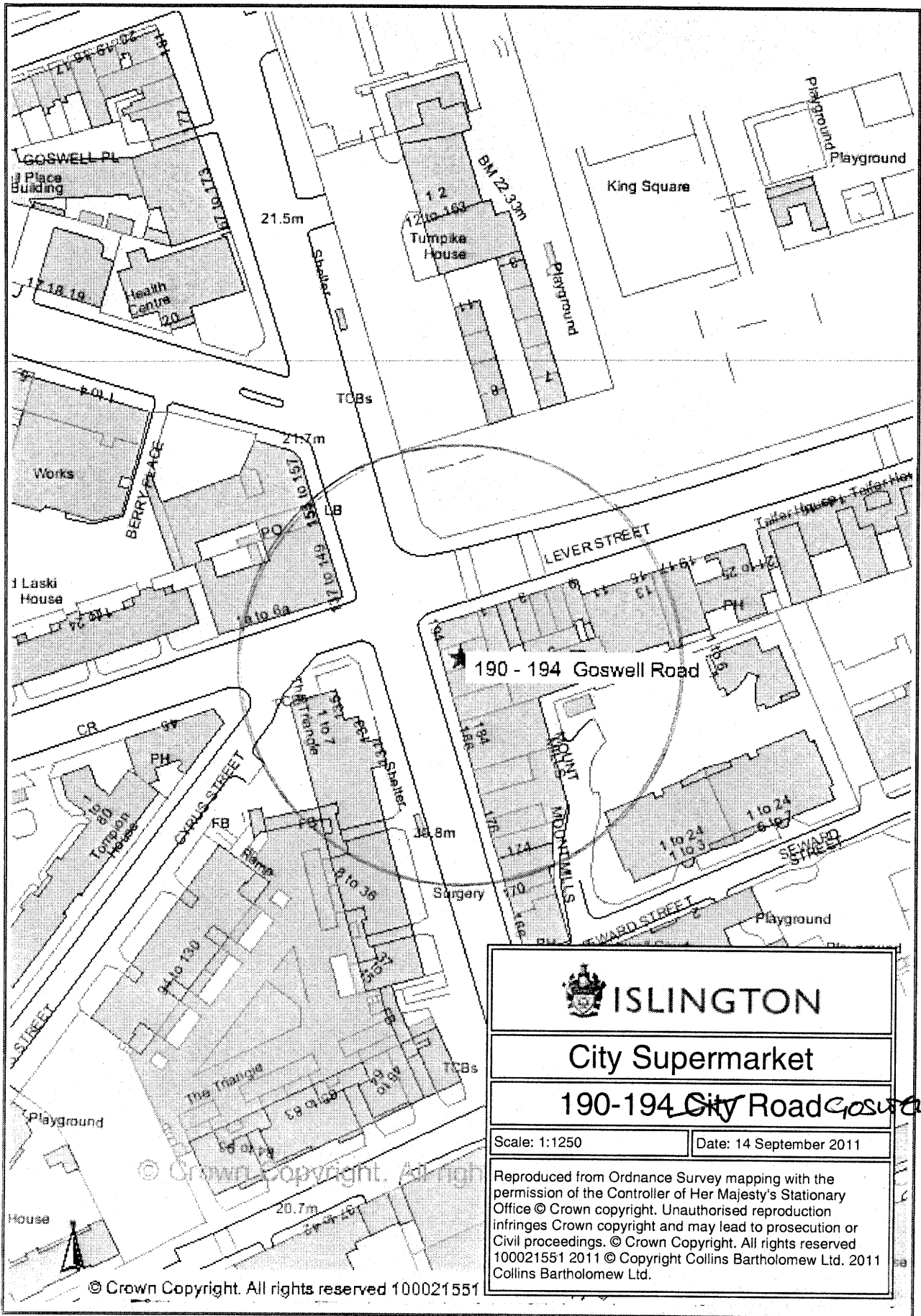
15. To protect children from harm:
  - i) the premises are effectively and responsibly managed;
  - ii) provision of a sufficient number of people employed or engaged;
  - iii) appropriate instruction, training and supervision of those employed or engaged.
16. The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of the bearer.
17. A register of refused sales shall be kept and maintained on the premises.
18. Staff shall be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18 years, signs and symptoms of drunk persons, refusal of sale due to intoxication and that records are kept of such training, which are signed and dated by the member of staff who has received the training. Staff shall receive refresher training every six months as a minimum and training records shall be signed and dated by the member of staff who undertakes the training.
19. A software system that provides a till prompt relating to underage sales shall be installed.


**Conditions of approval recommended by Noise Team (accepted)**

20. No deliveries will take place on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.
21. No rubbish will be moved, removed or placed in outside the premises on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.
22. Prominent, clear and legible notices must be displayed at the public exit to the premises requesting the public to respect the needs of local residents and to leave the area quietly.
23. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.

**Suggested conditions of approval recommended by the Trading Standards (accepted)**

24. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences.
25. 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 and make them available for inspection upon request by the licensing team, police or trading standards.
26. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age: that is proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
27. 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.



 <b>ISLINGTON</b>	
<b>City Supermarket</b>	
<b>190-194 City Road Goswell</b>	
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