

Williams, John

From: [REDACTED]
Sent: 11 December 2016 19:30
To: Licensing
Subject: Fw: Nisa. Holland Walk, N19 3XU

From: [REDACTED]
Sent: Sunday, December 11, 2016 7:27 PM
To: [shop licence](#)
Subject: Nisa. Holland Walk, N19 3XU

Dear Sirs,

I have today seen an official notice at the at shop premises stating a 'review of alcohol licence' application and I would like to make my objections to this.

The previous shop which operated here caused years of problems for residents by selling alcohol as we had untold problems with gangs of youths using the shop and buying their drinks there. This led to late night noise and general nuisance which ended with the shop being closed down.

I have copied and pasted here my original objections; slightly amended to bring it up to date but my strong objections still stand.

HISTORY

The previous shop had attracted much anti social behaviour for several years such as gangs of young men congregating in large numbers, noise nuisance, rubbish left on a daily basis such as empty drinks bottles and cans. Police were called regularly due to the problems and I know some of my neighbours and other local residents would not use the shop due to the large number of youths who loitered at the shop entrance. Sometimes there was upwards of between 15 and 30 youths at any given time outside the shop.

THE ABOVE STILL HAPPENS TODAY

The noise was unbearable almost daily at all times, day and evening time and although the shop at the time closed at 9 pm, the gangs stayed much later and continued drinking. The block I live in is directly opposite the premises and bedrooms and kitchens overlook the shop area. It could be impossible some nights for my children to sleep and once they left home, my grandchildren also found it unbearable and refused to stay over any more. Since the shop closed down in February 2013 it has been blissful!

Crime was rife and I am sure if you check with the Police, they were aware of the criminal activities and worked closely with Islington Council to refuse the licence. We personally saw on many occasions drugs changing hands and 'joints' openly being rolled and smoked, even in broad daylight. At one point, a youth was firing a gun into the air at approximately 4 pm in the afternoon! I called 999 not knowing if it was real or not.

THE ABOVE STILL HAPPENS TODAY. I AM PERSONALLY WORKING WITH THE LOCAL POLICE WHO ARE LOOKING TO INSTALL CCTV IN MY HOME TO CATCH THE DRUG ACTIVITY TAKING PLACE.

My concerns with this new application are the opening times requested. 8 am to 11 pm is ridiculous. There is also no reason for Sunday closing to be as late as 10.30 pm. If this is meant to be a community convenience store, there is no need whatsoever for it to stay open as late as 11pm. The shop has 3 large metal shutters which make a great deal of noise when opened and closed, twice a day. Even if the shutters were to be replaced the noise element would still be there. As I said previously bedrooms overlook the shop. I am not sure if you are familiar with this estate but all around the shop are residential family properties; the majority of which are very close to the shop on all sides.

With regard to selling alcohol, again I feel this is totally unnecessary. This area has a large number of shops open 24 hours a day selling alcohol but they are not in the middle of a housing estate. I feel that would be the only reason for the late closing time; to sell drinks. This would attract the wrong sort of people buying drinks and we would be back to square 1. There is a problem with street drinkers in the local area already and this would add to it.

THE ABOVE STILL STANDS APART FROM THE NOISE FROM THE SHUTTER WHICH WAS REPLACED AND THE OPENING TIMES WHICH ARE 7AM TO 11PM WHICH AGAIN IS TOTALLY UNNECESSARY

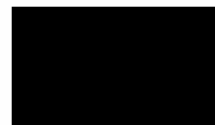
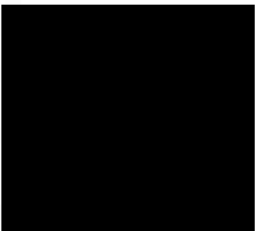
The youths that contributed to the problems have for the main part moved on (apparently into prison I have been told) but we already have the next generation growing up and starting to cause anti social behaviour on the estate.

THESE CHILDREN ARE ALREADY CAUSING PROBLEMS AND ARE OFTEN SEEN ASKING ADULTS TO GO IN THE SHOP AND BUY CIGARETTES FOR THEM.

I apologise for going on a bit (!) but I feel very strongly about this alcohol licence and think it is completely unnecessary. A shop selling day to day grocery items would be fine and welcome if run properly.

If you are NOT the correct department dealing with this, please forward/advice me of the correct email and I will contact them.

Regards,





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:

Date: 03/01/17

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Nisa Local, 89-91 Holland Walk, N19 3XU

Trading Standards representation to review applications by Licensing Authority

1. I have examined the application to review the premises licence of the above business on behalf of the Trading Standards Section. I wish to make the following representations as Trading Standards have concerns over the ability of the premises licence holder (PLH) to prevent crime and disorder and to protect children from harm outlined in the application.

Statement of facts

2. Prior to the licence being granted, I had met with Ali Has, a Director of MHAK Management Ltd., the applicant, and Ibrahim Has, who became the Designated Premises Supervisor. Katie Tomashevski of the Licensing Team and PC Peter Conisbee of the Islington Police Licensing Team were also present. The officers detailed the historic issues with the premises and the applicant assured us that there would be high management standards exhibited at the store. They spoke well and I was persuaded that they would manage the premises reasonably well. They accepted the conditions suggested by Trading Standards and, as a result of this, no representation was made to the application.
3. On 6th July this year, I undertook an enforcement visit at the business with Ms Tomashevski. My initial impression was favourable. The premises had been thoroughly renovated and looked to be a smart and professional business – a shop, in contrast to the previous business at this address, that seemed to be a community asset.
4. Unfortunately the compliance check diluted this impression, somewhat. I examined the alcohol stock and identified some wine and beer that I suspected would be illicit. The wine was on sale at £2.99 / two for £5, which was far cheaper than comparable wine from reputable cash and carry businesses and with the discount, a fraction of a penny less than combined Duty and VAT, therefore breaching a mandatory condition. Two of the three brands at this price were brands that I knew to be regularly supplied without invoices, a certain indication that they are non-UK duty paid.
5. The beer I was suspicious of comprised six brands of Polish beer sold in cans without any English language labelling – an offence under food labelling regulations and an indication that they may be smuggled.
6. I asked to see invoices for the suspect goods, which should have been available on the premises as Annex 2, condition 14 of the licence requires, but they could not be produced. I made a written request for the invoices to be provided.

7. There was no-one on the premises who held a personal licence (another licence condition breach), or who described themselves as a manager. Zerdest Zagrosi seemed to be in charge, so I asked him to pass on my request. I was aware that Ms Tomashevski was finding other breaches of conditions during the visit.
8. As I had neither received invoices by the deadline of 11th July, nor had any further contact from anyone at the business, I returned to the premises on 13th July. No invoices were available on the premises, so I seized the suspect wine, pending the provision of satisfactory invoices. I did not seize the beer, as I was not sufficiently convinced that it had not been responsibly purchased, although I did again require them to be provided in writing. I have never received invoices for any of the suspect goods.
9. On 23rd August, I was leading an underage test purchasing operation and visited the premises. Two bottles of Koppaberg cider (abv 4%) were sold by an employee of the business to our underage volunteers – both female, the buyer was 17 years and 7 months and was accompanied by another, aged 16 years and 4 months. The seller's English was not particularly good, but I was sure he had not been sufficiently trained.
10. Again there was no personal licence holder on the premises, but on this occasion an employee named Rahim Samedi agreed he was in charge of the shop at that time. He said that he had not seen Ibrahim Has (the DPS), but that Ali Has tended to come to the shop in the morning.
11. I invited the licensee to be interviewed, suggesting a date. Shortly before the suggested appointment, I e-mailed the company to see if they were to attend the interview and received an e-mail requesting a postponement, until the appropriate person had returned from leave. I sent an alternate date, which was initially agreed, but before that date I received another e-mail, this time from NARTS, saying that their client would not be attending the interview. I invited the licensee to make a written statement about the alleged offences in lieu of the interview.
12. On 29th September, shortly before the deadline I had set for a written statement, I received an email from the Company Secretary saying that Ibrahim Has had been dismissed and the company had decided to sell the business. He did not address the alleged offences. By this time, an application to transfer the premises licence and DPS had already been made.
13. There were a couple of other visits I made to the business, accompanying Ms Tomashevski and others, which I have not reported here as they have no direct Trading Standards implications and are covered in the review paperwork.

Recommendations

14. I was concerned after the initial visits in July that the business seemed to have bought illegal alcohol, without any paperwork being provided and had clearly paid little heed to the licence conditions, most of which they proposed or agreed to during the application process. However, prompt and effective action at this stage, including an honest recognition of any mistakes that had been made, would almost certainly have resulted in action short of a review being taken. This would certainly have been an outcome welcome to Trading Standards on account of the importance of having a well-run shop on the estate.
 15. Unfortunately, the PLH did not follow this course. Instead, they avoided engagement with Trading Standards and Licensing and said things had been corrected when they had not been. They then claimed to have sold the business, but could not or would not provide any convincing evidence that the sale was genuine. Indeed, the application reveals grounds for concern that the transfer applied for may have been presented on fraudulent grounds.
 16. I agree entirely with the Licensing Authority's request to consider revocation – a course that I think is appropriate if the Licensing Sub-Committee do believe the 'sale' to have been fraudulent – or a significant suspension, which would act as a deterrent against poor standards of management and non-engagement with responsible authorities in future.
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17. I also ask, in the event that the licence is not revoked, that the following conditions are added to the licence;

- After evidence of any legal non-compliance relevant to the promotion of the Licensing Objectives is found, the licensee shall attend a meeting, upon reasonable request, with appropriate Responsible Authorities at the Council Offices or other suitable location. This condition does not require the licensee to say anything while under caution.
- The Licensee and Designated Premises Supervisor will not unreasonably refuse to attend any low-cost training for off-licence managers put on by the Council.

I believe these representations are specific and proportionate and are consistent with the Islington Council Statement of Licensing Policy.

A handwritten signature in cursive script that reads "Doug Love".

Doug Love
Trading Standards Officer

Your
Our Licensing/NI
Date: 4/01/2017



PREMISES LICENSE REVIEW:
89-91 Holland Walk
London,
N19 3XU

**METROPOLITAN POLICE
SERVICE**
Islington Police Licensing Team
Islington Police Station
2 Tolpuddle Street
London
N1 0YY
Telephone: 07799133204

Email:
licensingpolice@islington.gov.uk

4th January 2017

Dear Sir/Madam

Re: Nisa Local,

With reference to the above application, we are writing to inform you that the Metropolitan Police, as a Responsible Authority, will be supporting this application for a review of a premises license under Section 51 Licensing Act 2003.

We have read the application submitted by Jan Hart, Service Director, Public Protection and we are in full agreement with her assessment of the premises.

This venue has a chequered past and the current owners, MHAK Management Ltd were aware that the premises was about to be subject of an investigation that could have resulted in a prosecution or review of the the premises licence. On the 16th of September 2016, applications were made to transfer the premises and DPS responsibility to two of their current employee's. We believe that this was done as a disruptive technique and to try and prevent, or at least delay the impending review.

We requested that the prospective new owners provided proof that this was indeed a legitimate sale. We received a number of emails confirming such but no firm proof in the form of bank transfers or the like. We objected to the transfer and DPS applications, and on the day of the committee hearing 25th October, the applicant's representative withdrew before the hearing.

The very next day, on the 26th of October they re-applied to transfer the licence and DPS to the same employee. The DPS transfer was ratified by us – but not the transfer, a representation was submitted for the same reasons as previously stated.

On the 2nd of November, Trading standards, the licensing authority and the police attended the venue to ensure that all the issues at the venue had been resolved, which they had. The police re-iterated a need for proof that this was a genuine sale. The same proof that we asked for in mid September that we have to this date, not yet received.

However, numerous emails were received stating that monies had been transferred – but no proof. The day prior to the hearing for the first transfer and DPS application the Licensing Authority were in receipt of an email from Morgan Has solicitors stating that they have received £20k on the 25th of November as the first instalment of the transfer for the purchase price.

This alone proves our concern, given that this is stated to be the FIRST instalment of a transaction being made two months after we were initially told it had taken place.

I contacted the solicitors and requested again that we receive proof, not just an email, but proof of a transaction from the applicants bank account that this is a genuine purchase by him and not some form of fraud. Just before the last date for objection to the transfer we received a copy of the solicitor's bank statement, but nothing from the applicant. One of the principle solicitors at the firm was also the director of MHAK Management Ltd.

It is nearly four months since the transfer issues began and still no proof of money changing hands, leading us to believe it is an elaborate ruse by the original owners, and their employers.

As such we are in full agreement with the analysis of the review application and of the summary and recommendations.

It is our opinion that this has been a clear attempt to avoid or delay enforcement action by the licensing authority, and a complete disregard to the law.

Islington Police Licensing Team

Pc Peter Conisbee
Pc Steven Harrington
Pc Ben Chadwick