



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	5 th June 2018		Canonbury

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
ESSEX ALTERNATIVE SUPERMARKET, 360 ESSEX ROAD, LONDON, 3PD

1. Synopsis

1.1 The new application is to allow:

- The sale by retail of alcohol, off supplies only, Mondays to Sundays from 07:00 until 00:00; and
- The premises to be open to the public, Mondays to Sundays from 07:00 until 00:00.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	No
Health and Safety	No
Trading Standards	No
Public Health	Yes
Safeguarding Children	No

London Fire Brigade	No
Local residents	No:
Other bodies	Yes: One local Councillor.

3. **Background**

3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premises location.

3.2 Brief licensing history:

- This property has twice previously held a premises licence authorising the sale of alcohol, both were revoked following Trading Standards led reviews;
- The most recent premises licence was revoked on 18th July 2017;
- The premises licence holder at this time was Mr Ismail Kurt, the son of the applicant in regards to this application, Mr Hasan Kurt; and
- Mr Hasan Kurt was the owner of the business at the time of the revocation on 18th July 2017.

4. **Planning Implications**

4.1 No Planning implications.

5 **Recommendations**

5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.

5.3 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. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)

6 **Conclusion and reasons for recommendations**

6.1 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 as appropriate to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy
Licensing Act 2003
Secretary of States Guidance

Final Report Clearance**Signed by**

Service Director – Public Protection

Date 23/5/18

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Essex Alternative Supermarket

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Mr Hasan

* Family name

Kurt

* E-mail

licensing@narts.org.uk

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- ☐ Applying as a business or organisation, including as a sole trader
- ☒ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="Ms Aysen"/>
* Family name	<input type="text" value="Ipek Kilic"/>
* E-mail	<input type="text" value="licensing@narts.org.uk"/>
Main telephone number	<input type="text" value="02072413636"/>
Other telephone number	<input type="text"/>

Include country code.

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number	<input type="text" value="10815398"/>
Business name	<input type="text" value="Narts Britain Limited"/>
VAT number	<input type="text" value="-"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Licensing Consultant"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

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Agent Registered Address

Address registered with Companies House.

Building number or name	<input type="text" value="NARTS"/>
Street	<input type="text" value="53 Stoke Newington High Street"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="N16 8EL"/>
Country	<input type="text" value="United Kingdom"/>

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	<input type="text" value="Essex Alternative Supermarket"/>
Street	<input type="text" value="360 Essex Road"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="N1 3PD"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="07482977481"/>
Non-domestic rateable value of premises (£)	<input type="text" value="20,500"/>

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Mr Hasan

Family name

Kurt

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

London

County or administrative area

Postcode

Country

United Kingdom

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

licensing@narts.org.uk

Telephone number

Other telephone number

* Date of birth

20

/

12

/

1968

dd

mm

yyyy

* Nationality

British

Documents that demonstrate entitlement to work in the UK

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?

09

/

04

/

2018

dd

mm

yyyy

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

/

/

dd

mm

yyyy

Provide a general description of 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.

Off licence, mini market

Continued from previous page...

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

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PROVISION OF PERFORMANCES OF DANCE

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[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes

☒ No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

07:00

End

00:00

Start

End

TUESDAY

Start

07:00

End

00:00

Start

End

WEDNESDAY

Start

07:00

End

00:00

Start

End

THURSDAY

Start

07:00

End

00:00

Start

End

FRIDAY

Start

07:00

End

00:00

Start

End

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.

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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

Name

First name

Family name

Date of birth

/ /

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Please see below

b) The prevention of crime and disorder

- 1) The dps, a personal licence holder or trained member of staff nominated in writing by the dps shall be on duty at all times the premises are open to the public.
- 2) a) A cctv system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.
b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.
c) All staff who may work front of house shall be trained to operate the cctv system and download images.
d) At least one member of staff trained to operate the cctv system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a usb stick, cd or other acceptable means as soon as possible and in any case within 24 hours of the request
- 3) challenge 25 shall be operated as the proof of age policy.
- 4) all staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
- 5) An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
 - A) All crimes reported,
 - B) Lost property,
 - C) All ejections of customers,
 - D) Any complaints received,
 - E) Any incidents of disorder,
 - F) Any seizure of drugs or offensive weapons,
 - G) Any faults in the cctv,
 - H) Any refusal in the sale of alcohol.
 - I) Any visit by a relevant authority or emergency service
- 6) Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:
 - A) That cctv & challenge 25 are in operation;
 - B) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
 - C) Of the permitted hours for licensable activities & the opening times of the premises;
 - D) Not to drink in the street;
 - E) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.
- 7) Alcohol products stocked for sale shall not include lagers, beers or ciders with an alcohol content above 7.0%abv.

c) Public safety

A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.

d) The prevention of public nuisance

- 1) The front of the premises shall be kept tidy at all times and be swept at close.
- 2) Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate)

Continued from previous page...

- 3) No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00.
- 4) Any music played will only be played at background level.
- 5) An incident book shall be kept at the premises and made available to the police or authorised council officers –see box b condition 5 for full details of the information to be recorded.
- 6) A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

e) The protection of children from harm

- 1) Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, hm forces photographic id card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.
- 2) All refusals of the sale of alcohol shall be recorded in the refusals section of the incident book. The incident book shall be kept and produced to police & authorised council officers on request –see section b condition 5 for full details.
- 3) relevant notices will be prominently displayed by the entry/ exit door and point of sale as appropriate– see section B condition 6 for full details.
- 4) All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
5. The premises licence holder to employ an external agency to conduct training for all new staff and refresher training every 6 months with training records sent by email to Local Authority's Trading standards and Local Authority's Licensing Team.
6. The premises licence holder to employ an external agency to conduct test purchases at the premises every 6 months with results of test purchases to be sent to Local Authority's Trading Standards and Local Authority's Licensing team upon completion.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

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- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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NOTES ON REGULATED ENTERTAINMENT

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In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="Ms Aysen Ipek Kilic"/>										
* Capacity	<input type="text" value="Licensing Consultant"/>										
* Date	<table><tr><td><input type="text" value="12"/></td><td>/</td><td><input type="text" value="03"/></td><td>/</td><td><input type="text" value="2018"/></td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>	<input type="text" value="12"/>	/	<input type="text" value="03"/>	/	<input type="text" value="2018"/>	dd		mm		yyyy
<input type="text" value="12"/>	/	<input type="text" value="03"/>	/	<input type="text" value="2018"/>							
dd		mm		yyyy							

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 1S OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<div>Essex Alternative Supermarket</div>
Fee paid	<div></div>
Payment provider reference	<div></div>
ELMS Payment Reference	<div></div>
Payment status	<div></div>
Payment authorisation code	<div></div>
Payment authorisation date	<div></div>
Date and time submitted	<div></div>
Approval deadline	<div></div>
Error message	<div></div>
Is Digitally signed	<div><input type="checkbox"/></div>

Rep 1

Re: Premises Licence Variation.
 Our Ref: Lic/NI/18/203213/02
 Date: 19/03/2018



Premises Licence Variation Application - Essex Alternative Supermarket.

METROPOLITAN POLICE SERVICE

Essex Alternative Supermarket
 360 Essex Rd, N1 3PD

Contact:

licensing@narts.org.uk

Islington Police Licensing Team
 Islington Police Station
 2 Tolpuddle Street
 London
 N1 0YY

07799 133204
 licensingpolice@islington.gov.uk

To whom it may concern,

Please accept this formal representation.

I am writing to inform you that the Metropolitan Police, in its capacity as a responsible authority, will be objecting to this Premises Licence Application as it is our belief that if granted this application would undermine the Licensing Objectives: The prevention of Crime & Disorder and Public Safety.

We are aware that this premises had its licence revoked in July 2017 and, following an appeal process, ceased trading on 6th March.

Standard police indices checks confirm the following:

- 1) The address previously traded with Mr Hasan Kurt as the owner and his son Mr Ismail Kurt running the premises.
- 2) The licence was revoked due to significant and severe management issues and extensive breaches of licence conditions.
- 3) The new application asks that we allow the premises to re-open with the same owner, Mr Hasan Kurt, as the applicant.

We are of the view that Mr Hasan Kurt, as owner of the premises, must have had full knowledge of issues identified previously, had ample opportunity during that time to address the issues, and failed to do so.

It is reasonable to assume that he took significant financial benefit from the operation in its previous iteration, and intends to do so again, in unchanged terms (only with himself as the applicant), from this new application.

Not only has the premises clearly not been sold to new owner/operators, but it is evident that the same family unit intend to continue the operation.

The locality in question has ongoing issues with street drinking and associated crime and anti-social behaviour. This was the case throughout the previous operation of the business in question and indeed is the case now. **These issues demand that the highest standards of premises management are maintained.**

Set against the licensing objectives, and the need to mitigate against crime and disorder, we do not feel that accepting a new application by the same owner/operators (who failed to operate to an acceptable standard previously), is appropriate.

We the police object, and ask that the application be refused.

Should you wish to discuss the matter further please don't hesitate to contact us.

07799 133204

licensingpolice@islington.gov.uk

Best regards,

PC Adam Peace 2533CN

Islington Police Licensing Team

Licensing Act 2003**Licensing Authority Representation****Premises Licence Application:****Essex Alternative Supermarket, 360 Essex Road, London, N1 3PD.**

I am submitting a representation on behalf of the Licensing Authority with respect to the premises licence application, submitted by **Mr Hasan Kurt**.

The application is seeking to allow the premises to provide the sale by retail of alcohol, off supplies only, Mondays to Sundays from 07:00 until 00:00.

The grounds for the representation are:

- Prevention of Crime & Disorder; and
- Protection of Children from Harm.

Licensing Policy Considerations

<i>Licensing Policy 4</i>	<i>Shops selling alcohol;</i>
<i>Licensing Policy 6</i>	<i>Licensing hours;</i>
<i>Licensing Policies 8</i>	<i>Standards of management;</i>
<i>Licensing Policy 28</i>	<i>Children & alcohol; and</i>
<i>Licensing Policy 29</i>	<i>Review of premises licences</i>

Background

- This business previously held a premises licence which was subject to a premises licence review application submitted by the Council's Trading Standard's service on 16th May 2017. The premises licence was as a result revoked before a Licensing Sub-Committee on 18th July 2017.
- The licensee and Designated Premises Supervisor at this time was Mr Ismail Kurt.
- The owner of the business at this time was his father, Mr Hasan Kurt.
- Mr Hasan Kurt is now seeking a new premises licence to allow the business to again operate as an off-licence with the same hours of operation as previously authorised.

Issues of Concern

- The premises licence held by Mr Ismail Kurt was revoked as a result of significant management failures (LP8) linked to repeat breaches of premises licence conditions, underage test purchase failures (LP28) and a failure to co-operate and engage with Responsible Authorities when given the opportunity to do so.

- Mr Hasan Kurt, in acting as a responsible business owner, would have had knowledge of the concerns raised by Responsible Authorities at this time and failed to take any action. It is therefore difficult to accept that he will now take these responsibilities seriously if awarded a new premises licence.
- The Licensing Authority expects any applicant seeking a new premises licence to allow off-sales alcohol (LP4) to be able to demonstrate high standards of management through the operating schedule. While the LA accepts that the operating schedule is of a reasonable standard, the applicant's ownership of the business when a premises licence was formally revoked strongly suggests that this is not the case.
- The applicant has sought hours for the sale of alcohol outside of those suggested for an off-licence as laid out under LP6. The applicant has not presented any arguments as to why these hours are appropriate for the business or proposed any additional controls to mitigate against crime and disorder or public nuisance that may be linked to the extended hours.

Summary

Licensing Policy 29 states that in circumstances where a premises licence has been revoked any new application for the premises will be considered against the policy – there will be a full consideration of the applicant and the operating schedule with no assumption that a licensed premise can continue in that location.

The licensing Authority does not believe that Mr Hasan Kurt has satisfied this test as a new applicant and therefore recommends that the Licensing Sub-Committee should refuse the premises licence application.

Terrie Lane
Licensing Manager
Islington Council
020 7527 3233

9th April 2018

Licensing Act 2003**Representation from Islington Public Health department on behalf of health bodies providing services in Islington****ESSEX ALTERNATIVE SUPERMARKET, 360 ESSEX ROAD, LONDON, N1 3PD**

We are submitting a representation against the application for a licence to permit the sale of alcohol from the above premises. This representation is on behalf of Islington's Public Health Department, which is a responsible authority.

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

- the third highest rate of alcohol-specific mortality of any London borough in 2014-16,
- the highest rate of alcohol-related hospital admissions in London in 2016/17,
- the third highest rate of alcohol-specific hospital admissions in London in 2016/17,
- and the third highest rate of claimants of incapacity benefit in London, where the main medical reason for being a claimant is alcoholism.

The grounds for the representation are:

- Protection of children from harm
- Prevention of crime and disorder

The relevant policies in Islington's Statement of Licensing Policy 2018-2022 are:

- Policy 4: Off sales of alcohol from shops and other premises
- Policy 5 & 6: Licensing hours
- Policy 8: Management standards

Public Health are aware that:

- The address previously traded with Mr Hasan Kurt as the owner and his son Mr Ismail Kurt running the premises.
- The licence was revoked due to significant and severe management issues and extensive breaches of licence conditions.
- The new application asks the premises to re-open with the same owner, Mr Hasan Kurt, as the applicant.

Public Health are concerned that this means the premises would continue to be managed by the same owners whose licence was revoked on 6 March 2018. Previous evidence found that the premises' management showed a disregard for the responsibility that comes with having a licence. This included:

- selling alcohol to a young person under the age of 18 through a test sale on 28 January 2017;
- selling alcohol to a young person under the age of 25 without any request for identification on 8 December 2016; and
- lack of compliance with their licence condition that stated that *'No 'super-strength' beers or ciders over 7.5% abv are sold at less than the price that they cost the business'*

In our representation made on 13 June 2017, we highlighted the following:

1. The importance of premises staff in restricting access to alcohol for children and young people

- The impact of alcohol on young people is particularly great in Islington. Islington had the second highest rate of alcohol-specific hospital admissions for under-18s in London between 2013/14-2015/16, with 46.8 admissions per 100,000 over that period, in comparison to 22.4 per 100,000 in London.¹ This figure only represents those under 18 who were actually

¹ <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

admitted to hospital, and the number would be even higher if it included children who attended accident and emergency but were not admitted.

- Off licences and shops licenced to sell alcohol play a significant role in underage access to alcohol. In one national survey, of 15 year olds who consumed alcohol in the past four weeks, 5% stated they had bought it from a shop.² It is therefore very important that off licences honour their licence and properly protect children from alcohol-related harms.
- The Chief Medical Officer's guidance on alcohol advises that an alcohol-free childhood is the healthiest and best option. There is well documented evidence of the association between alcohol consumption and harm to children and young people aged under 18.³
- Young people are more likely to take risks after drinking, and drinking alcohol in childhood increases the likelihood of having sex at a younger age, unprotected sex, teenage pregnancy, and the contracting sexually transmitted infections. Alcohol use in young people is associated with injuries from accidents or from fighting, perpetrating or being the victim of alcohol-related crime and violent crime, involvement in anti-social behaviour, school absenteeism, and poor academic performance.

2. The compliance with conditions relating to cheap high strength alcohol.

- Public Health highlighted concerns about the availability of cheap high strength alcohol in the premises and the resulting lack of compliance with one of the premises' licencing conditions. The cheap availability of high strength alcohol is a specific cause of concern and its availability is a significant contributor to harm among vulnerable groups in the borough. At such a low cost, such super strength alcohol has become a drink of choice amongst many of the most vulnerable dependent drinkers. The cheap cost also makes it an attractive option for underage drinkers preloading before a night out.

Both of these identified issues are the responsibility of management in order to prevent harms to the most vulnerable in our community in Islington. Islington' Statement of Licensing Policy 2018-2022 is clear that where there is a history of non-compliance associated with the management of the premises, applicants applying for a new licence must show evidence of a significant improvement in management standards. The Islington Licensing Policy emphasises restricting access to alcohol for children as a high priority in Islington in order to help reduce the anti-social behaviour and health issues associated with underage drinking. Public Health are concerned that if the licence is granted, the same issues as seen previously could be repeated.

In addition, the applicant has requested to sell alcohol off the premises from 7.00-00.00 Monday to Sunday, which are outside of the framework hours for off licences (8am-11pm Monday-Sunday). There is a growing body of evidence suggesting that extended hours of sale can increase alcohol-related harms⁴. We are concerned that the extended licensing hours could increase the availability of alcohol for consumption off premise. This could lead to an increase in public nuisance and crime and disorder, and impact adversely on the health of those consuming alcohol and others who come in contact with them, especially of the most vulnerable groups in Islington.

² Smoking, drinking and drug use among young people in England survey, 2014: <https://digital.nhs.uk/catalogue/PUB17879>

³ Guidance on the Consumption of Alcohol by Children and Young People, Department of Health, 2009

⁴ Public Health England (2016). The Public Health Burden of Alcohol and the Effectiveness and Cost-Effectiveness of Alcohol Control Policies: An Evidence Review. Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/583047/alcohol_public_health_burden_evidence_review.pdf

Conclusion and recommendations

- There is evidence to suggest the same owners would be in place if the application is granted.
- The premises has a history of selling alcohol to those under the age of 18 years and a lack of compliance with the licence condition that states that *'No 'super-strength' beers of ciders over 7.5% abv are sold at less than the price that they cost the business'*.
- The licensing hours requested by the premises are outside of framework hours, and could contribute to the high alcohol-related harms already experienced in Islington.

As a consequence, Islington Public Health recommends that:

- The application for a licence to supply alcohol at Essex Alternative Supermarket, 360 Essex Road, N1 3PD is refused on the grounds of the history of the premises' management and the application for licencing hours outside of framework hours.

From: [Forde, Niall](#)
To: [Whitton, Daniel](#); [Burrell, Ryan](#)
Subject: FW: Essex Alternative Supermarker
Date: 19 March 2018 15:42:47

FYI

From: Wayne, Nick
Sent: 19 March 2018 08:51
To: Forde, Niall <Niall.Forde@islington.gov.uk>
Subject: Essex Alternative Supermarker

Dear Niall,

I have read the new application and I have also had sight of the observations of Pc Peace.

I chaired the licensing sub-committee that concluded that a revocation of the license of this supermarket was proportionate. I, along with the sub-committee, had no confidence that the management team would uphold the licensing objectives. The Essex Road area has many residents who are either alcohol dependent or who are problematic drinkers. Underage purchasing of alcohol is a known issue. Put simply it is essential that premises granted an off licence comply with the highest standards of management. I have no confidence at all that any premises connected to either the present owners of the supermarket, or the former (and probably present) management team will comply with those standards. I therefore formally object to the granting of a new premises licence given the belief of the police that the ownership of the premises remains unchanged.

Best wishes

Cllr Nick Wayne
Labour member for Canonbury Ward.

Councillor Nick Wayne

Labour Member for Canonbury Ward

Landline 9am – 6pm Mon - Fri: 0207 359 5973

Mobile 

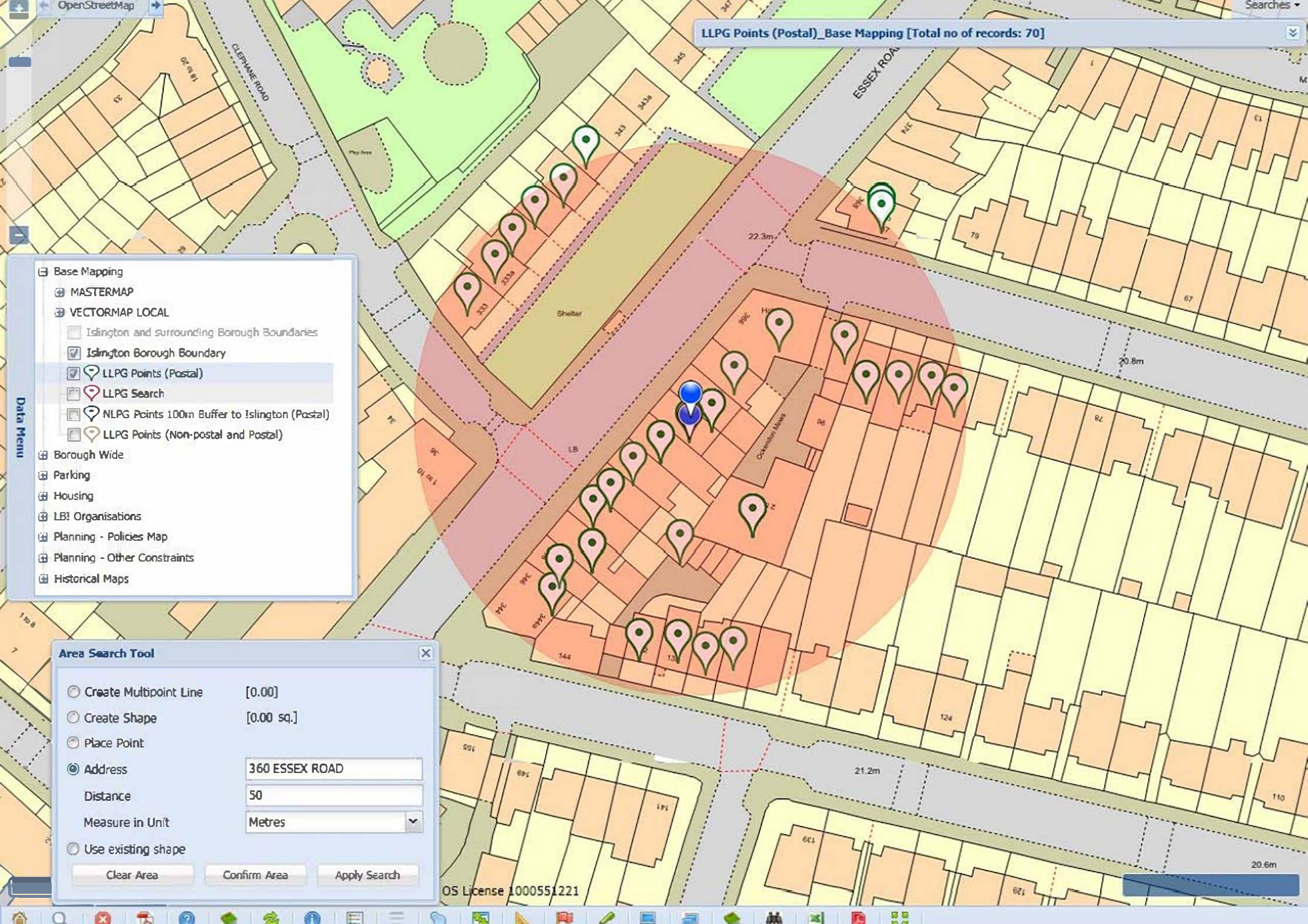
Email nicholas.wayne@islington.gov.uk



Suggested conditions of approval consistent with the operating schedule

1. The DPS, a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times the premises are open to the public.
2. A CCTV system covering the interior & exterior of the premises will be installed to current Metropolitan Police/Home office standards and shall be kept operational at all times the premises are open to the public:
 - a. It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days;
 - b. All staff who may work front of house shall be trained to operate the CCTV system and download images; and
 - c. At least one member of staff trained to operate the CCTV system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a USB stick, CD or other acceptable means as soon as possible and in any case within 24 hours of the request.
3. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
 - a. All crimes reported;
 - b. Lost property;
 - c. All ejections of customers;
 - d. Any complaints received;
 - e. Any incidents of disorder;
 - f. Any seizure of drugs or offensive weapons;
 - g. Any faults in the CCTV system;
 - h. Any refusal in the sale of alcohol; and
 - i. Any visit by a relevant authority or emergency service.
4. Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:
 - a. That CCTV & Challenge 25 are in operation;
 - b. Advising customers of the provisions of the licensing act regarding underage & proxy sales;
 - c. Of the permitted hours for licensable activities & the opening times of the premises;
 - d. Not to drink in the street; and
 - e. To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally
5. Alcohol products stocked for sale shall not include lagers, beers or ciders with an alcohol content above 7.0%abv.
6. A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.

7. The front of the premises shall be kept tidy at all times and be swept at close.
8. Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate)
9. No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00.
10. Any music played will only be played at background level.
11. An incident book shall be kept at the premises and made available to the police or authorised council officers –see box b condition 5 for full details of the information to be recorded.
12. A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.
13. Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, HM Forces photographic ID card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.
14. All refusals of the sale of alcohol shall be recorded in the refusals section of the incident book.
15. All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
16. The premises licence holder to employ an external agency to conduct training for all new staff and refresher training every 6 months with training records sent by email to Local Authority's Trading Standards and Local Authority's Licensing Team.
17. The premises licence holder to employ an external agency to conduct test purchases at the premises every 6 months with results of test purchases to be sent to Local Authority's Trading Standards and Local Authority's Licensing team upon completion.



- Base Mapping
 - MASTERMAP
 - VECTORMAP LOCAL
 - ☐ Islington and surrounding Borough Boundaries
 - ☒ Islington Borough Boundary
 - ☒ LLPG Points (Postal)
 - ☐ LLPG Search
 - ☐ NLPG Points 100m Buffer to Islington (Postal)
 - ☐ LLPG Points (Non-postal and Postal)
 - Borough Wide
 - Parking
 - Housing
 - LB! Organisations
 - Planning - Policies Map
 - Planning - Other Constraints
 - Historical Maps

- | | |
|--|------------|
| <input type="radio"/> Create Multipoint Line | [0.00] |
| <input type="radio"/> Create Shape | [0.00 sq.] |
| <input type="radio"/> Place Point | |
| <input checked="" type="radio"/> Address | 360 ESSE |
| Distance | 50 |
| Measure in Unit | Metres |
| <input type="radio"/> Use existing shape | |

Apply Search

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