



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	27 <sup>th</sup> April 2015		Caledonian

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION**  
**Roma News Food & Wine, 331 Caledonian Road, London N1 1DW**

**1. Synopsis**

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The application is for a licence to allow:
- the sale of alcohol for consumption off the premises: 07:00 to 23:00 on Monday to Sunday.

**2. Relevant Representations**

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

Safeguarding Children	No
London Fire Brigade	No
Local residents	No
Other bodies	No

### 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 The shop is located in the Kings Cross Cumulative Impact Policy area.

3.3 Council records show that the shop was previously licensed and the licence was held by Mr Daniel Berhane when Islington Council became the Licensing Authority in 2005.

3.4 Following breaches of the licence and a purchase of alcohol after permitted hours Mr D Berhane was invited to officer panel on 19 April 2006, which he failed to attend.

3.5 21 April 2006 Mr D. Berhane varied the licence to appoint Mr Tesfalem Necash as the DPS.

3.6 August 2006 the premises licence was varied to allow the sale of alcohol for 24 hours Monday to Sunday following an application. Annex 2 Condition 1 of the premises licence issued after the variation prevented the licence from being used until the Health & Safety works contained in a schedule dated 3 August 2006 were completed. This condition was never discharged.

3.7 On 23 October 2006 Mr D. Berhane varied the licence to appoint his brother, Mr Fissha Berhane, as the DPS.

3.8 On 16 July 2007 the licence was transferred to Fissha Berhane.

3.9 On 16 December 2010 the licence was transferred to Tekle Yohannes Okbagrigis.

3.10 Council officers visited the premises on 6 October 2014 and found the premises open and trading in breach of licence conditions and a warning letter was sent to Mr Okbagrigis.

3.11 On 10 October 2014 Mr Okbagrigis attended Council offices and surrendered the premises licence stating that he had not been involved in the running of the premises since 2 May 2011.

3.12 A transfer application was submitted to transfer the licence to D. Berhane and F. Berhane on 23 October 2014 (a transfer application may be submitted to reinstate the licence within 28 days of a licence being surrendered). Police objected to the transfer. The application was rejected prior to determination as application did not meet legal requirements and the licence subsequently lapsed as a result of the earlier surrender.

- 3.13 The current application has been submitted by Abdulla Khan (to be licensee and DPS) who is also the licensee of 183 Caledonian Road. It is noted on the application that Mr F Berhane is given the role of assistant manager.

#### 4. **Planning Implications**

- 4.1 Planning have reported that the lawful use of the property appears to be as a shop under use class A1 and the sale of alcohol is a retail activity which is permitted under this use.

There are presently no ongoing enforcement investigations relating to the land.

#### 5 **Recommendations**

- 5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 5.2 To consider that this address is in the Saturation or "Cumulative Impact Policy" of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.
- 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. conditions recommended by Responsible Authorities deemed appropriate by the Committee (see appendix 3); and
  - iii. any additional conditions deemed appropriate by the Committee to promote the four licensing objectives.

#### 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 it considers 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 14/4/15

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

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

WR/201576330

Approved

NOT  
23/2/15

Islington  
Application for a premises licence  
Licensing Act 2003

For help contact  
licensing@islington.gov.uk  
Telephone: 020 7527 3031



\* required information

Section 1 of 19

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

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

abdullah

\* Family name

khan

\* E-mail

alltimesupermarket@hotmail.com

Main telephone number

Include country code.

Other telephone number

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

Are you:

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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

COMMERCIAL/LICENSING  
23 FEB 2015  
PUBLIC PROTECTION DIVISION  
222 UPPER ST, LONDON N1 1XR

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

* Building number or name	331
* Street	CALEDONIAN ROAD
District	
* City or town	LONDON
County or administrative area	
* Postcode	N1 1DW
* Country	United Kingdom

**Section 2 of 19**

**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	331
Street	CALEDONIAN ROAD
District	
City or town	LONDON
County or administrative area	
Postcode	N1 1DW
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	12,400

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- 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
- Other (for example a statutory corporation)

**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

**Section 4 of 19**

**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

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Applicant Postal 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

County or administrative area

Postcode

Country

### 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

Telephone number

Other telephone number

Add another applicant

## Section 5 of 19

### OPERATING SCHEDULE

When do you want the premises licence to start?

<input type="text" value="23"/>	/	<input type="text" value="03"/>	/	<input type="text" value="2015"/>
dd		mm		yyyy

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

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
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.

Retail premises(super market) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises, sales of alcohol for consumption off the premises are made from the super market sales floor as shown on the enclosed plan.



*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

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

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

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

- Yes  No

Continued from previous page...

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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...**

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

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

### 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'.

### Section 16 of 19

#### 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

### Section 17 of 19

#### 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

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

### Section 18 of 19

#### 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)

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

I will keep strong management controls and effective training of all staff.

- 1, No selling of alcohol to underage
- 2, No drunk and disorderly behavior on the premises area
- 3, vigilance in preventing the use and sale of illegal drugs
- 4, No violent and anti social behavior
- 5, No any harm to children

b) The prevention of crime and disorder

CCTV system installed to monitor entrance, exits and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licensing during which licensable activities are permitted.

Not selling of alcohol to drunk or intoxicated customers.

Prevention and vigilance in illegal drug use at the retail area.

c) Public safety

Internal and External lighting fixed to promote the public safety objective.

**Continued from previous page...**

Well trained staff adherence to environmental health requirements.  
Training and implementation of underage ID checks.  
A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspection made; the log book shall be kept available for inspection when required by persons authorised by the licensing act 2003

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.  
prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.  
Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner.

e) The protection of children from harm

Challenge 25 sign which is a retailing strategy that encouraged anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the pass hologram, a photographic driving licence or a passport) if they wish to buy alcohol.  
Well trained staff about requirements for persons identification age establishment etc.  
Log book will be kept upon the premises all the time.

**Section 19 of 19**

**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](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 your 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

**Continued from previous page...**

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 (£)

**DECLARATION**

\* I/we understand 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.

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

\* Capacity

\* Date  /  /   
dd mm yyyy

Full name

Capacity

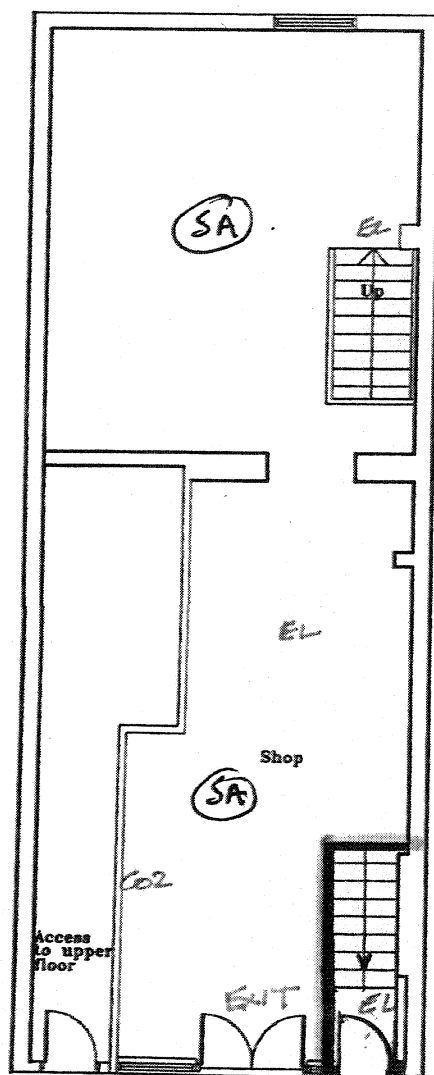
\* Date  /  /   
dd mm yyyy

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



*Shutters to front of shop*

**331 Caledonian Road  
Ground Plan 1:100  
Proposed**

			Rev.	Description	Date
Client	331 Caledonian Road London, N11 DW.	Scale	1:100	Date	
Scheme		Drawn by	HS	Rev	
		Checked by:			
		Approved by:			
Title		Drawing no.	633/HS/04		
			<b>H Solaimani</b> 22 Vine Gardens Ilford Essex, IG1 2QH. Tel: 020 8553 3792 Mobile: 07958 501134		



Appendix 2

REF 1.

Your  
Our Licensing/NI  
Date: 18/03/2015



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

Telephone: 07799133204  
Email:  
[licensingpolice@islington.gov.uk](mailto:licensingpolice@islington.gov.uk)

Mr Abdullah Khan  
183 Caledonian Road  
London  
N1 1DW

Dear Sir

**Re:** 331 Caledonian Road, N1. Roma News Food and Wine.

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

Location

The venue is situated in the 'Kings Cross Cumulative Impact Zone', (CIZ) an area which traditionally suffers from high levels of crime and disorder and there are concerns that this application will cause further policing problems in an already demanding area.

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

In the preceding twelve weeks to this report, there have been 436 crimes reported to police in the Caledonian Ward.

There are already 24 licensed premises within a 250m radius stretch of Caledonian Road alone.

Communication

There has been good communication between the applicant and the police, and as a result the applicant has accepted three conditions, should his licence be granted; these being CCTV, an incident log and no sales of high strength beer, lager or cider.

We are also aware that the applicant has another premises in Caledonian Road, also within the same CIZ. and have enquired regarding his management of the premises

History

This venue shows nothing out of the ordinary with regard to reported crime. However we are aware that the applicant has a premise at 183 Caledonian Road, within the same CIZ. On researching this venue, again it is not necessarily a crime generator, despite the applicant having dealings with the police on a number of occasions.

Since the 1<sup>st</sup> of January 2014 the venue has called police on numerous occasions, reporting four crimes, from common theft to armed robbery. Reviewing this information one particular crime came to light which

occurred a short distance from the venue. The victim left a nearby late night restaurant/club in the early hours of the morning and went on to buy a bottle of vodka from the applicant. At the same time, three other people were in the shop. On leaving, only a short distance from the shop those three people subjected the victim to a GBH attack. The applicant told the police reporting the incident that these four people caused him no issue at the time of their respective sales. The same police officer stated in his report that the victim of the GBH was extremely drunk at the time of the assault. Given the short time between the sale that caused the applicant no issues and the offence, it is fair to say that the applicant sold to a drunk person.

In August 2014 police were present at an officer panel in which the applicant attended. The reason for his invite to the panel was in relation to poor licensing performance and sales of illicit alcohol.

#### Summary

The venue is in the CIZ, the applicant has sold alcohol to a drunk person who then became a victim of crime, and has been called to the council offices as a result of poor performance. It is for all these reasons that we are objecting to the application, and propose that it is refused.

Should you wish to discuss the matter further please contact us on Mobile 07799133204 or via email, [licensingpolice@islington.gov.uk](mailto:licensingpolice@islington.gov.uk)

Yours sincerely

Peter Conisbee PC575NI  
Steven Harrington PC425NI  
Nick Pamboris PC548NI

Islington Police Licensing Officers

Conditions accepted by the applicant, should the licence be granted.

1. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences.
2. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:
  - a. All crimes reported to the venue
  - b. Any complaints received
  - c. Any incidents of disorder
  - d. Any faults in the CCTV system
  - e. Any visit by a relevant authority or emergency service
3. No high strength beer, lager or cider of 5.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 or above per 500ml.



Please reply to: Doug Love

MEMO TO:  
LICENSING TEAM  
222 UPPER STREET

Our Ref:  
Your Ref:  
Date: 18/03/15

### LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

331 Caledonian Road, N1 1DW

I have examined the application for a licence for the above premises on behalf of the Trading Standards Section. I wish to make the following representations as Trading Standards have serious concerns over the application.

1. I note that the applicant, Abdullah Khan, is the Licensee and DPS from another shop in Caledonian Road – All Time Supermarket at 183. I have had experience of this shop before.
2. On the good side, since Mr Khan has been named on the licence, I am aware of at least four test purchase attempts carried out at the business (three underage, one 'Challenge 25' test using an 18 year old), none of which have resulted in a sale.
3. I have made two checks for illicit alcohol. In March 2013, I made a visit following an Officer Panel meeting which the then-Licensee, Mohammed Aryubi had attended to talk about **various issues with the licence and non-compliance with conditions** (Mr Khan, the DPS at the time, did not attend). No illicit alcohol was discovered, although I requested invoices to be provided for the seven bottles of Bombay Sapphire in the shop, as the damage on the caps was reminiscent of a supermarket security device being forced off. **These invoices were never produced.**
4. At a check in January 2014, I asked for invoices for a small quantity of cheap Italian wines that were on the shelves. None could be produced – I was told they had been bought without paperwork from a business that had closed in Caledonian Road – and I subsequently seized the wines. On this occasion Mr Khan did appear at the Office Panel meeting – after he had agreed to vary his licence to add relevant conditions - and he was advised about the need to be satisfied that alcohol for sale was legal.
5. **He was also warned about the need to have correct details on his licence** (he had different home addresses for himself as licensee and as the DPS); to keep the original licence on the premises; and to display the summary. I am aware that Terrie Lane of the Licensing Team confirmed in an e-mail shortly after the meeting that the original licence (which Mr Khan had said had never been sent to him) had been sent and she told him how to obtain a copy. **I do not believe that he has ever done this.**
6. On 6<sup>th</sup> October 2014, I attended Roma News, Food & Wine, at the request of Katie Tomashevski, Licensing officer. **I seized 500g of non-duty paid shisha tobacco** and some wine. The wine was subsequently returned after invoices were provided.
7. At least one invoice I saw was made out to All Time Supermarket at 183 Caledonian Road and I also saw some post addressed to Abdullah Khan at 331 Caledonian Road. These documents, together with the fact that an employee I knew from 183 was called to help with our visit made me believe that the business was being operated by Mr Abdullah.
8. Ms Tomashevski's enquiries revealed that the licensee of the business, Tekle Okbagirgis, had not been involved in the business since May 2011, when the business was taken on by Daniel Berhane, the brother of the DPS, Fisha Berhane. Mr Berhane had, allegedly, told Mr Okbagirgis

that he would transfer the licence in 2011. The business had then, apparently, been passed on to Mr Khan in the early part of 2014. **No licence or DPS transfer was made at either time, so the business was illegally selling alcohol for over three years, and for 6 months or more under Mr Khan's control.**

9. In summary, Mr Khan has not shown that he can run the off licence for which he is currently the licensee and DPS to the high standards expected by Islington Council and he knowingly traded at 331 with an invalid licence. I believe that the Committee should refuse this application.

10. If the Committee do choose to grant the licence, I request that these conditions be included. I note that despite making a minor variation to add conditions at 183, Mr Khan did not offer many of them as part of his operating schedule:

- No alcoholic goods will ever be purchased or taken from persons calling to the shop.
- No spirits shall be purchased in a resealed box, without thorough checks being made to ensure it is legal to sell.
- The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
- Only alcoholic drinks which are detailed on invoices will be purchased or accepted as part of a 'free' offer. Invoices (or copies) for all alcoholic goods on the premises will be 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 business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards as soon as possible.
- The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
- The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
- The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
- 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.

I believe this representation is specific and proportionate to the known trading characteristics of this retail sector and are consistent with the Islington Council Statement of Licensing Policies 10. 25 & 26.

Doug Love  
Principal Consumer Services Officer

1. The licensee shall ensure that there are strong management controls and effective training of staff including:
  - i) No selling of alcohol to underage
  - ii) No drunk or disorderly behaviour
  - iii) Vigilance in preventing the use and sale of illegal drugs
  - iv) Dealing with violent and anti-social behaviour
  - v) Protecting children from harm
  - vi) Environmental health requirements.
2. CCTV system shall be installed to monitor the entrance, exits and other parts of the premises.
3. A clear and legible notice shall be displayed outside the premises indicating the normal hours permitted under the premises licence.
4. Alcohol shall not be sold to drunk or intoxicated customers.
5. Staff shall prevent and be vigilant in respect of illegal drug use on the premises.
6. Internal and external lighting shall be maintained to promote public safety.
7. A log book or recording system shall be kept on the premises in which shall be entered particulars of inspections made; the log book shall be kept available for inspection when required by persons authorised by the licensing act 2003.
8. Prominent, clear and legible notices shall be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
9. Deliveries of goods necessary for the operation of the business shall be carried out at such a time and in such a manner to minimise disturbance to nearby residents.
10. The "Challenge 25" policy shall be implemented and advertised at the premises.
11. A log book shall be kept at the premises to record any instance where a potential customer is refused an age restricted product.

**Conditions suggested by the Metropolitan Police**

12. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences.
13. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:
  - All crimes reported to the venue
  - Any complaints received
  - Any incidents of disorder
  - Any faults in the CCTV system

Any visit by a relevant authority or emergency service

14. No high strength beer, lager or cider of 5.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 or above per 500ml.

**Conditions suggested by Trading Standards**

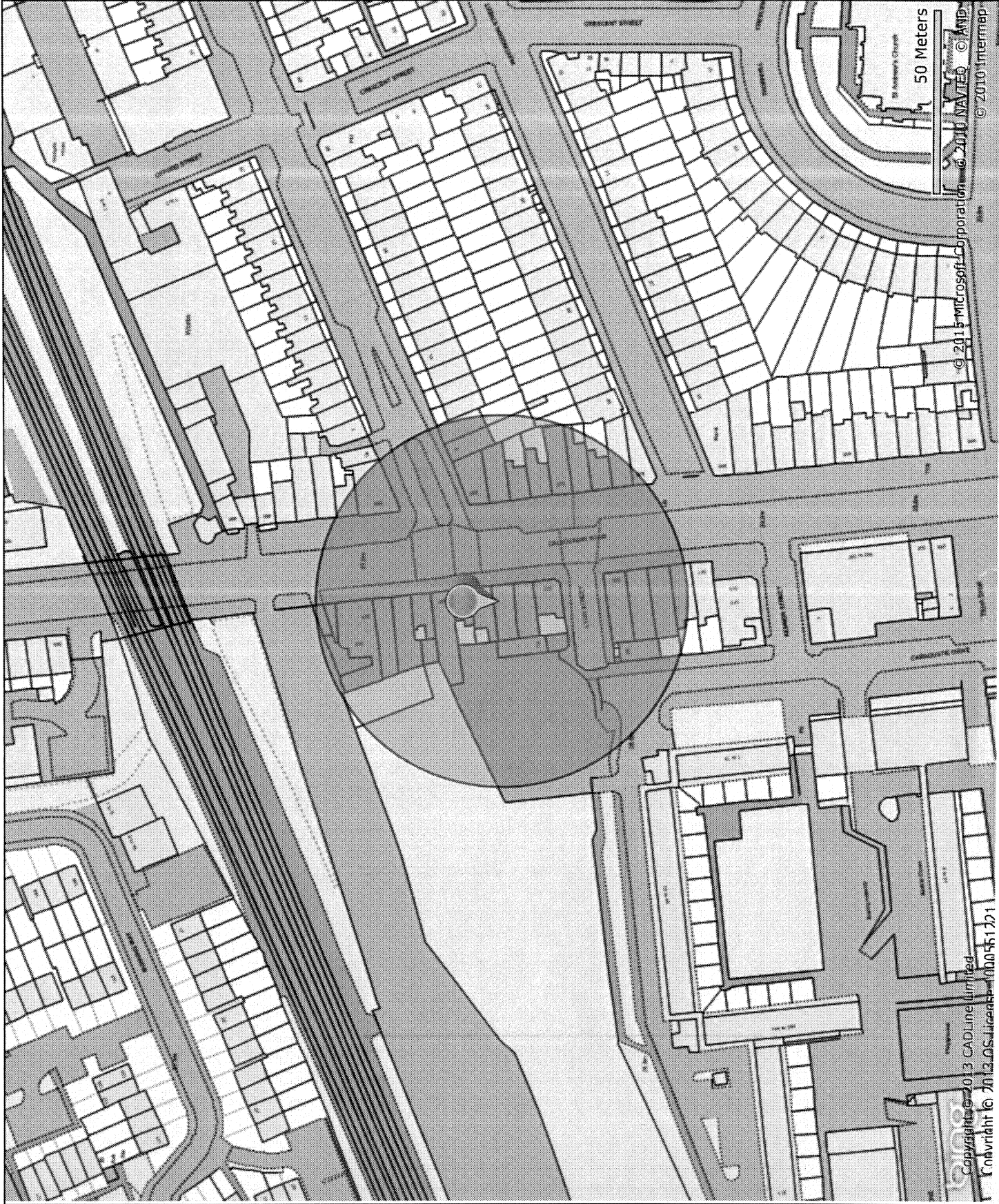
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19. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
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Islington Borough  
Boundary

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