



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	2 June 2015		Bunhill

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION
424 ST JOHN STREET, LONDON EC1V 4NJ**

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
 - I. Supply alcohol for consumption for consumption off the premises, from 10:00 until 02:00 the next day Monday to Sunday;
 - II. Opening hours of the premises from 06:00 to 02:00 the next day on Monday to Friday and 09:00 to 02:00 the next day on Saturday and Sunday.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	Yes
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: Applicant response to Trading Standards representation
- Appendix 4: suggested conditions and map of premises location.

3.2 The premises is currently unlicensed.

3.3 Following the representation from the Trading Standards Officer the applicant responded to the representation. Attached at Appendix 3.

4. Planning Implications

4.1 No adverse observations have been received from Planning regarding this new application.

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 Bunhill 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 4)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 4)

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

19.5.15
Date

Received by Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

WK/201580219.

OK
Kant
26 March 15
Appendix 1
26/3/15

ISLINGTON

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 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?

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

Yes No

Applicant Details

* First name

* Family name

You must enter a valid e-mail address

* E-mail

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.

Applicant Business

* Is the applicant's business registered in the UK with Companies House? Yes No

* Registration number

* Business name

If the applicant's business is registered, use its registered name.

* VAT number

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

* Legal status

* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

You must enter a valid e-mail address

* E-mail

Main telephone number

Include country code.

Other telephone number

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

A private individual acting as an agent

Agent Business

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

* Registration number

* Business name

If your business is registered, use its registered name.

* VAT number

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

Continued from previous page...

* Legal status

* Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

20,710

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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

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NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Continued from previous page...

Registered number (where applicable)

9361737

Description of applicant (for example partnership, company, unincorporated association etc)

Address

Building number or name

424

Street

St John Street

District

City or town

London

County or administrative area

Islington

Postcode

EC1V 4NJ

Country

United Kingdom

Contact Details

E-mail

pmanski@jpclaw.co.uk

Telephone number

020 7624 4424

Other telephone number

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?

01 / 02 / 2015
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.

The premises is a franchise of the Nisa Supermarket brand. There will be a designated area for the sale of alcohol. At the premises, there is an existing till prompt as tobacco is sold. This till prompt will also be used for the sale of alcohol. Only the DPS or a person with the authority of the DPS who holds a personal licence will be permitted to sell alcohol. No alcohol is to be consumed on the premises.

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

Will you be providing plays?

Yes

No

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PROVISION OF FILMS

Will you be providing films?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes

No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes

No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

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PROVISION OF PERFORMANCES OF DANCE

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

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

Yes

No

Continued from previous page...

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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 10:00

End 02:00

Start

End

TUESDAY

Start 10:00

End 02:00

Start

End

WEDNESDAY

Start 10:00

End 02:00

Start

End

THURSDAY

Start 10:00

End 02:00

Start

End

FRIDAY

Start 10:00

End 02:00

Start

End

SATURDAY

Start 10:00

End 02:00

Start

End

SUNDAY

Start 10:00

End 02:00
~~06:00~~

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...

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'.

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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.

None

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HOURS PREMISES ARE OPEN TO THE PUBLIC

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

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

State any seasonal variations

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

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.

None

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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)

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

b) The prevention of crime and disorder

There are CCTV cameras installed at the premises and a 'dome' camera over the entrance door for facial recognition. There are cameras situated on the top of the till system, with a recording device so in cases where the cashier is worried about a particular customer they can turn on the recording device.
There is a panic assist button connected via Redcare to the police.

c) Public safety

There are smoke and fire alarms installed at the premises.
The fire exit is clearly marked and there are fire extinguishers on site.
There is also, a designated health and safety officer and a first aider located at the pub nearby the 'Old Red Lion'.

Continued from previous page...

d) The prevention of public nuisance

There is a sign displayed in the shop which states "please leave the premises quietly, and please respect our neighbours".

e) The protection of children from harm

'Challenge 25' is in place at the premises, and all members of staff have clearly been advised of the importance of following this procedure. There is also a till prompt in place and a refusal book kept at the till to document any potential underage sales.

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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

Continued from previous page...

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

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

MUAZZAM KASHMIRI

* Capacity

DIRECTOR

Date (dd/mm/yyyy)

04/02/2015

Add another signatory

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.

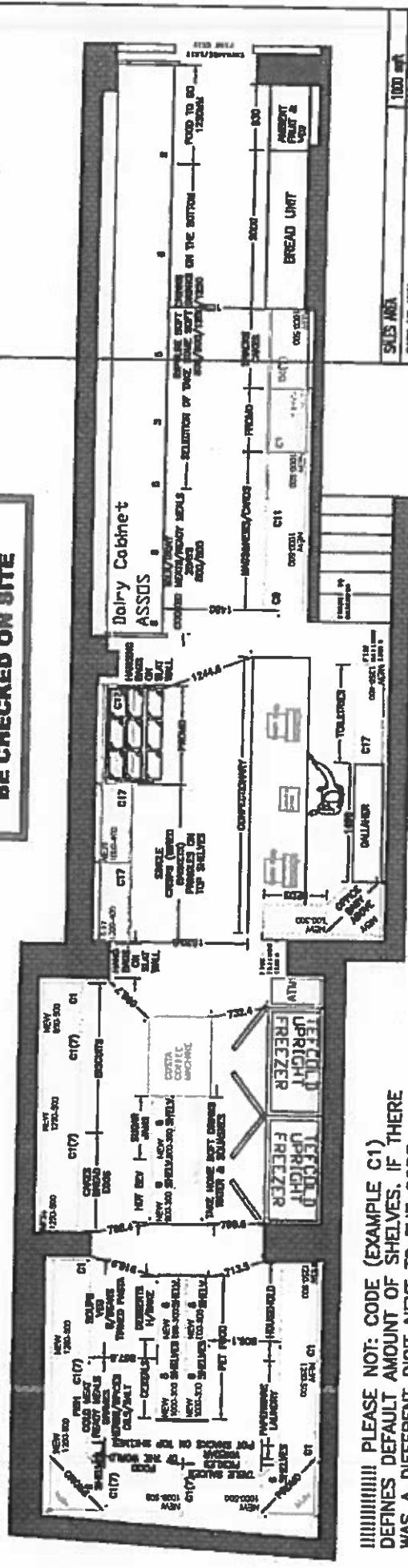
Don't forget to make sure you have all your supporting documentation to hand.

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

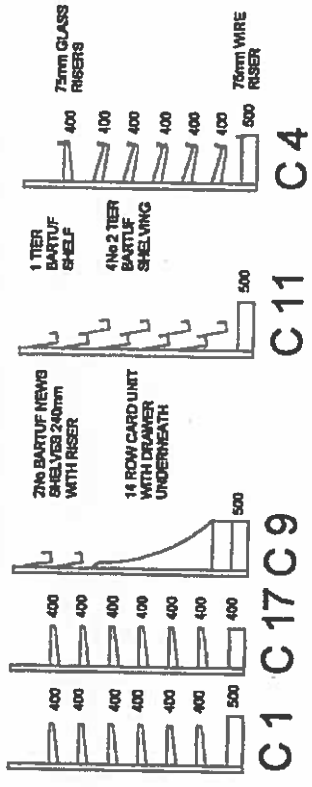
GENERAL NOTES

Show this information only
Do not scale from this drawing
All dimensions to be checked on site.
Legend may be subject to planning and building
regulations approval.
Copyright of MSA Retail Limited

**PROVISIONAL
DRAWING**
ALL DIMENSIONS MUST
BE CHECKED ON SITE



!!!!!!!!!!!!!! PLEASE NOTE: CODE (EXAMPLE C1)
DEFINES DEFAULT AMOUNT OF SHELVES. IF THERE
WAS A DIFFERENT DIGIT NEXT TO THE CODE
{EXAMPLE C1(7)} PLEASE REFER TO THIS NUMBER
OF SHELVES!!!!!!!!!!!!



THIS PLAN IS FOR SHOPFITTING PURPOSES ONLY
BUILDING AND STRUCTURAL ALTERATIONS/
ADDITIONS WILL REQUIRE THE SERVICES OF AN
ARCHITECT / STRUCTURAL ENGINEER.
IT IS THE RESPONSIBILITY OF THE RETAILER TO
ENSURE ALL BUILDING REGULATIONS ARE MET
AND PLANNING PERMISSIONS OBTAINED.

SIZES AREA	100 sqft
BACK-UP AREA	50 sqft
SHORE POINT TYPE	High Street/Corner
CRANE SYSTEM IMPROVED	NO

PMI Traders Ltd
45-47 JONES STREET
BIRMINGHAM
B31 4JH

Scale	1:20	Drawing No	1	Date	06/20/18
Drawn	MG	Revisions	3		

Nisa

WALDOO WAY
NORMANBY ENTERPRISE PARK
SCUNTHORPE, NORTH LINCOLNSHIRE DN15 9GE
Telephone: 01724 282028 WWW.NISA-TODAYS.COM



REF 1

Islington Licensing Authority
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

Your Name	Anne Brothers
Job Title	Noise Liaison Officer
Postal and email address	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk
Contact telephone number	020 7527 3047

Name of the premises you are making a representation about	Nisa
Address of the premises you are making a representation about	424 St John Street, London EC1V 4NJ

Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent public nuisance	Yes	In order to reduce the likelihood of calls to the Noise Service in relation to the above application, Pollution team recommends the following conditions be placed on any premises licence granted.

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<ul style="list-style-type: none"> • There shall be no deliveries or waste collections between 8pm and 8am, Mondays to Saturdays, and no deliveries or waste collections on Sundays or Bank Holidays. • Notices will be prominently displayed at the exit requesting the public to respect the needs of local residents and not to gather outside so as to cause disturbance to any residential properties in the vicinity. • All off sales shall be made in closed sealed containers.
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Signed: _____ Date: _____

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031

Licensing Authority Representation

Licensing Act 2003

Application: Nisa Local 424 St John Street EC1V

I am submitting a representation on behalf of the Licensing Authority with respect to the application to sell alcohol for consumption off the premises on Mondays to Sundays from 10am to 02:00 the following day.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

Licensing Policy Considerations

Licensing Policies 1 & 2

Location, cumulative impact and saturation

Licensing Policy 7 & 8

Licensing Hours

Licensing Policies 9, 10,

Operating Schedules

Issues of Concerns

1. The application is in a cumulative impact which means that the onus is on the applicant to demonstrate that the application will not add to the cumulative impact.
2. The proposed measures are typical of many off licences operating in the borough. There hasn't been any attempt to acknowledge the sensitive nature of operating an off licence in a cumulative impact area where we are working hard to deal with the negative aspects of the sale of alcohol on local communities. No bespoke mitigation measures have been proposed.
3. The area already has a high number of licenced premises and the density of premises in the area is 10 times higher than the London average.
4. Alcohol related crime, alcohol related violence and ambulance call outs in the area are high and significantly higher than the London average
5. The Licensing Authority has been working with partners and the licence trade to tackle underage drinking, street drinking and preloading which affect residents living in the area. An additional off licence in the area will undermine this work and add to the cumulative impact.
6. The measures proposed in the operating schedule do not sufficiently rebut the presumption to refuse the application on the basis that the application will not add to the cumulative impact.

7. The Licensing Authority is aware that this premises is owned by the same family who owned the off licence at 426 St John Street. That premises had a very poor track record of compliance and the premises licence was revoked twice for illicit alcohol and sales of alcohol to under age volunteers.

Summary and recommendations

An additional off licence selling alcohol will add to the cumulative impact.

The measures proposed by the applicant in the operating schedule are industry standard.

The applicant has not demonstrated that the application will not add to the cumulative impact therefore in order to promote the licensing objectives it is recommended that this application is refused.

If the Committee is minded to grant the application the Licensing Authority recommends

1. Reducing the sale of alcohol hours to 11am to 7pm
2. Prohibiting the sale of alcohol in excess of 6%abv
3. Imposing any additional bespoke conditions proposed by the applicant prior to the hearing

Janice Gibbons
Service Manager

Islington Council

Janice.gibbons@islington.gov.uk

020 7527 3212

22 April 2015



Please reply to: Doug Love

MEMO TO:

**LICENSING TEAM
222 UPPER STREET**

Our Ref:
Your Ref:
Date: 22/04/15

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Nisa Local, 424 St John Street, EC1V 4NJ

I have had the opportunity to examine the application for a new premises licence made by FMH Traders Ltd on behalf of Trading Standards and wish to make the following representation.

1. This premises has links with a business that previously held a licence next door at 426 St John Street. Although the owning company is different – the next door shop was run by Beers, Wines & Spirits Ltd. – I am aware that the same family are behind both businesses.
2. Beers Wines and Spirits Ltd had their premises licence for 426 St John Street revoked in September 2014 after a seizure of illicit alcohol; two underage sales of alcohol and one failure to request proof of age when an 18 year old volunteer purchased alcohol; and repeated breaches of conditions.
3. In July 2008, there was a previous licence revoked at 426 after three underage sales of alcohol in less than 6 months. This licensee at this time was Faisal Kashmiri. This member of the family also appeared to be the person effectively in charge of Beers Wines and Spirits at the time of the 2014 revocation, even though he was not mentioned on the licence and he was not a director of the owning company.
4. Given this history, I am very surprised to receive an application for 424 St John Street that is lacking in so many ways:
 - The cctv condition allows for recording only at the discretion of staff. This is totally inadequate;
 - Precautions to avoid stocking illicit goods are totally absent;
 - There is no commitment to report instances of people attempting to sell illicit goods;
 - There are no details about the nature of staff training;
 - There is no indication that training records will be kept;
 - There is no requirement to use the refusals book that the applicant pledges to keep;
 - There is no attempt to rebut the assumption of increased cumulative impact referred to in LP 2;
 - There is no attempt to justify the hours additional to the 'expected' hours for off licences in Licensing Policy (LP) 8.
5. Part of the reason that the application may be so inadequate is that the applicant appears not to have considered either the expectation that that operating schedule will explain how

high standards of management should be achieved in LP 9, or the guidance of what this means given in LP 10.

6. LP10 goes on to observe that "Where there is a history of non-compliance associated with the premises the Licensing Authority is unlikely to grant a new ... application unless there is evidence of significant improvement in management standards". Although the history of non-compliance took place at neighbouring premises in this case, such are the links between the two businesses it is clear that this principle should apply to this application.
7. I do not believe that application by relatives of people who have been running businesses where a licence has been revoked should automatically be rejected and I do not know either Muazzam Kashmiri (the sole director of FMH Traders Ltd) nor Msawar Mahmood Kashmiri, the prospective DPS.
8. However, I ask the Licensing Sub-Committee to reject this application as they have failed to take heed of the Statement of Licensing Policy; nor of lessons that should have been learnt from the issues at 426, of which the applicants must surely have been aware.
9. I would anticipate arguments against this representation by the applicant or their advisors, but whatever is offered in an attempt to satisfy Trading Standards' concerns should have been considered and/or discussed prior to the application. In the circumstances and with the links of this business to the ones that have been revoked at 426, I cannot foresee any circumstances where I will be willing to withdraw this representation.

I believe these representations are specific and proportionate to the known trading characteristics of this particular premises and this retail sector as a whole and are consistent with the Islington Council Statement of Licensing Policies, in particular policies 9, 10, 25 and 26.

Doug Love
Principal Consumer Services Officer

NICK

Your Premises License Application New
Our Licensing/NI
Date: 21st April 2015



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

Telephone: 07799133204
Email:
Licensingpolice@islington.gov.uk

Date 23rd April 2015

Premises at
424 St John Street
London
EC1V 4NJ

Dear Sir/Madam

Re: Premises License Application: 424 St.John Street EC1V 4NJ

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.

The venue is situated on the borders of 4 Cumulative Impact areas, Kings Cross, Angel and Upper Street, Clerkenwell and Bunhill. It falls just within the 'Bunhill Cumulative Impact Area', a locality where this is traditionally high 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 resources.

There are 31 licensed premises within a 250m radius of this venue. 25 of these are On Licensed Premises, 5 are Off Licences and 1 is a Late Night refreshment venue. There is nothing within the application that demonstrates to us that the venue will not add to the cumulative impact in the area. I have engaged with the applicant's representative asking for them to refer to the Licising Policy 2013-2017 with regards to the opening hours. The response to this was "Demand from local residents". No evidence of this nature has been brought to my attention to support this claim.

The premises is located just over 100 metres away from the Angel Tube Station, a location which attracts street drinkers. We have concerns that a licenced premise so close to this area would see a rise in anti social behaviour within this area particularly related to street drinking.

We do not see that this application is bringing anything different or new to the area.

As this is a new application for a new premise we can't produce any crime figures specific to the proposed venue.

It is for these reasons that we are objecting to the application and propose that it is refused.

If the committee is minded to grant the application then we would ask them to consider attaching the following conditions to the application and to also include the core hours as set out in the Council Licensing Policy 2013-2017, for Off Licences.

- 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 Police Officer (subject to the Data Protection Act 1998) within 24 hours 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.
- 2) No High Strength Beer, Lager or cider of 6.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 or above per 500ml.
- 3) Signage to be in place at all entrances and exits and points of sale of alcohol advising customers of the DPPO.
- 4) The hours of sale of alcohol to be between 1000-2300hrs Mon-Sat and 1000-2200hrs on Sunday.
- 5) All alcohol to be in locked fridges/cabinets during times that alcohol cannot be sold.
- 6) No more than 15% of the premises to be used for alcohol.

Should you wish to discuss the matter any further please feel free to contact us on the mobile 07799133204 or via email licensingpolice@islington.gov.uk.

Yours Sincerely

Nick Pamboris
Steve Harrington
Pete Conisbee

Islington Licensing Officer



Please reply to: Doug Love

MEMO TO:

**LICENSING TEAM
222 UPPER STREET**

Our Ref:
Your Ref:
Date: 22/04/15

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Nisa Local, 424 St John Street, EC1V 4NJ

I have had the opportunity to examine the application for a new premises licence made by FMH Traders Ltd on behalf of Trading Standards and wish to make the following representation.

1. This premises has links with a business that previously held a licence next door at 426 St John Street. Although the owning company is different – the next door shop was run by Beers, Wines & Spirits Ltd. – I am aware that the same family are behind both businesses. The only link is that this is the Applicant's brother. Beers Wines Spirits which was located at 426 was run by Faisel Kashmiri, who is not involved in any way with the company at 424 St John Street.
2. Beers Wines and Spirits Ltd had their premises licence for 426 St John Street revoked in September 2014 after a seizure of illicit alcohol; two underage sales of alcohol and one failure to request proof of age when an 18 year old volunteer purchased alcohol; and repeated breaches of conditions. These breaches were done by BWS and Faisel who has taken full responsibility for the matter. It has no connection with the Applicant's company and proposed DPS.
3. In July 2008, there was a previous licence revoked at 426 after three underage sales of alcohol in less than 6 months. This licensee at this time was Faisel Kashmiri. This member of the family also appeared to be the person effectively in charge of Beers Wines and Spirits at the time of the 2014 revocation, even though he was not mentioned on the licence and he was not a director of the owning company. This is a matter for Faisel Kashmiri to answer to and not the Applicant. Faisel was the manager of the store at 426.
4. Given this history, I am very surprised to receive an application for 424 St John Street that is lacking in so many ways:
 - The cctv condition allows for recording only at the discretion of staff. This is totally inadequate; the cctv records always and keeps the recordings for 31 days
 - Precautions to avoid stocking illicit goods are totally absent. At present the shop does not sell any alcohol hence no precautions are in place. Once the shop is allowed to sell alcohol, we will only be purchasing goods from reputable cash n carries and training to be given to check products with UV light
 - There is no commitment to report instances of people attempting to sell illicit goods. We are committed to report people selling illicit goods
 - There are no details about the nature of staff training. Three members of our staff are personal license holders

- There is no indication that training records will be kept [a training record is kept on site]
 - There is no requirement to use the refusals book that the applicant pledges to keep [a refusal book is going to be kept on site and will be filled if any refusals are made]
 - There is no attempt to rebut the assumption of increased cumulative impact referred to in LP 2;
 - There is no attempt to justify the hours additional to the 'expected' hours for off licences in Licensing Policy (LP) [as explained our store is open until 2am, there is a huge demand from local residents, furthermore we supply the local pub and club; old red lion and Slime respectively]
5. Part of the reason that the application may be so inadequate if that the applicant appears not to have considered either the expectation that that operating schedule will explain how high standards of management should be achieved in LP 9, or the guidance of what this means given in LP 10.
 6. LP10 goes on to observe that "Where there is a history of non-compliance associated with the premises the Licensing Authority is unlikely to grant a new ... application unless there is evidence of significant improvement in management standards". Although the history of non-compliance took place at neighbouring premises in this case, such are the links between the two businesses it is clear that this principle should apply to this application. [There is no history with regards to the Applicant and the proposed DPS management standards. I would reiterate my business is not linked to 426, other than Faisal being the Applicant's brother and the Applicant is not responsible for these actions.]
 7. I do not believe that application by relatives of people who have been running businesses where a licence has been revoked should automatically be rejected and I do not know either Muazzam Kashmiri (the sole director of FMH Traders Ltd) nor Msawar Mahmood Kashmiri, the prospective DPS [The Applicant is happy along with the proposed DPS to have a face to face meeting were we can formally introduce ourselves]
 8. However, I ask the Licensing Sub-Committee to reject this application as they have failed to take heed of the Statement of Licensing Policy; nor of lessons that should have been learnt from the issues at 426, of which the applicants must surely have been aware [The Applicant was not involved with 426.]
 9. I would anticipate arguments against this representation by the applicant or their advisors, but whatever is offered in an attempt to satisfy Trading Standards' concerns should have been considered and/or discussed prior to the application. In the circumstances and with the links of this business to the ones that have been revoked at 426 [I cannot foresee any circumstances where I will be willing to withdraw this representation] [The Applicant is only concerned about the business at 424, what happened at 426 was due to the incompetence of Faisal and his management of the business]

I believe these representations are specific and proportionate to the known trading characteristics of this particular premises and this retail sector as a whole and are consistent with the Islington Council Statement of Licensing Policies, in particular policies 9, 10, 25 and 26.

Doug Love
Principal Consumer Services Officer

Suggested conditions of approval consistent with the operating schedule

1. CCTV shall be installed at the premises with a facial recognition camera at the front door., a camera on top of the till system and a recording device that can be turned on by the cashier.
2. A panic assist button connected via Redcare to the Police shall be installed and maintained.
3. Smoke and fire alarms shall be installed and maintained.
4. The fire exits shall be clearly marked and fire extinguishers shall be available on the premises.
5. A designated health and safety officer and qualified first aider shall be located at the pub nearby called the Old Red Lion.
6. A sign shall be clearly displayed which states, "Please leave the premises quietly and please respect our neighbours."
7. Challenge 25 shall be operated at the premises and staff shall have been trained in the procedures recommended by Challenge 25.
8. The premises shall operate a till that prompts the staff to any potential underage sales.
9. A refusals book shall be kept on the premises and used to record refused sales.

Conditions proposed by the Licensing Authority Officer

10. Reducing the sale of alcohol hours to 11am to 7pm
11. Prohibiting the sale of alcohol in excess of 6%abv.
12. Imposing any additional bespoke conditions proposed by the applicant prior to the hearing

Conditions proposed by the Noise Team

13. There shall be no deliveries or waste collections between 20:00 and 08:00, Mondays to Saturdays and no deliveries or waste collections on Sundays or Bank Holidays.
14. Notices shall be prominently displayed at the exit requesting the public to respect the needs of local residents and not to gather outside or as to cause disturbance to the any residential properties in the vicinity.
15. All off sales shall be made in closed sealed containers.

Conditions proposed by the Police

16. 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 frontal 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. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.
17. No High Strength Beer, Lager or cider of 6.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 per 500ml.
18. Signage to be in place at all entrances and exits and points of sale of alcohol advising customers of the DPPO

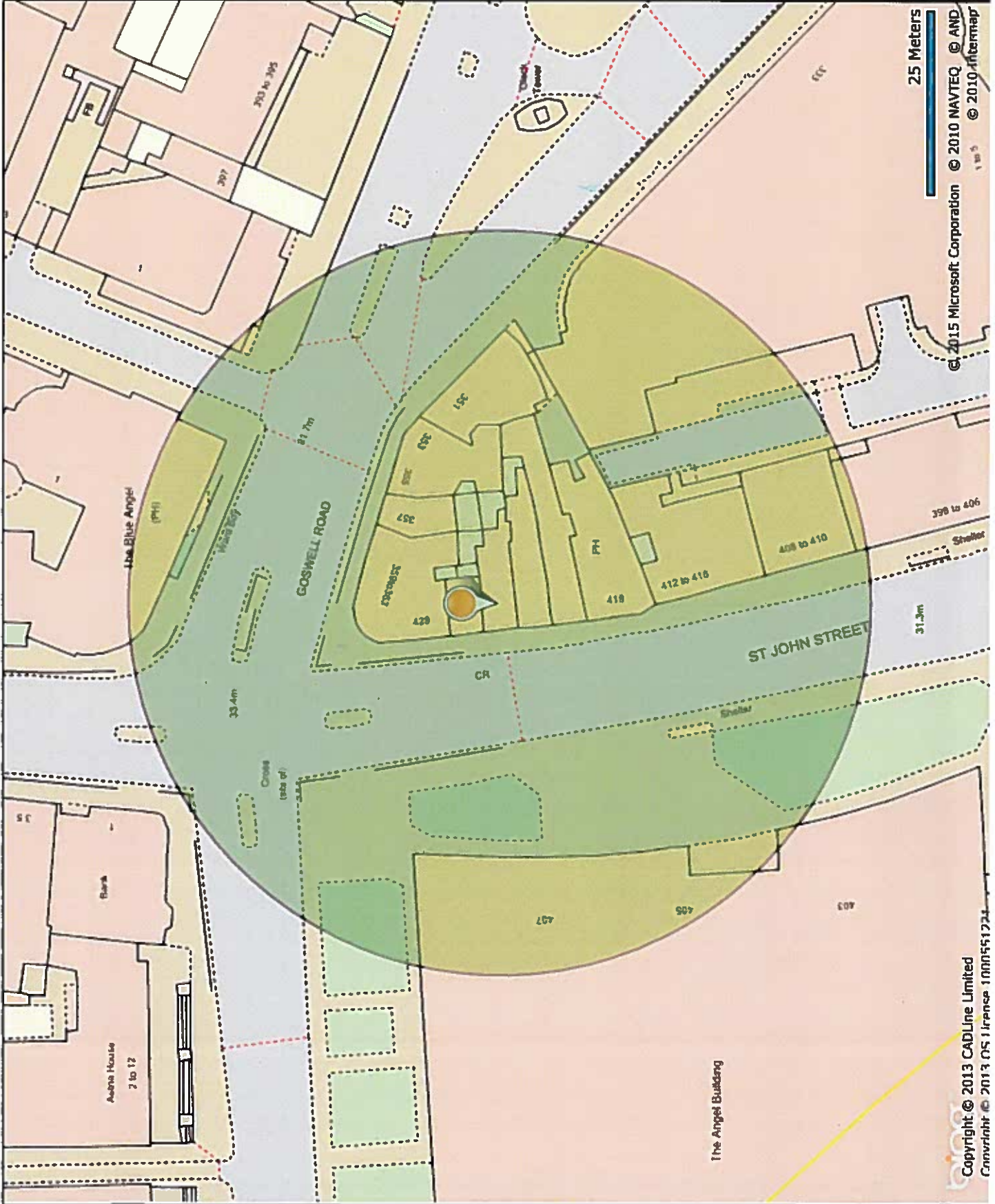
19. The hours of sale of alcohol to be between 10:00 to 23:00 Monday to Saturday and 10:00 22:00 on Sunday
20. All alcohol to be in locked cabinets/fridges during times that alcohol cannot be sold.
21. No more than 15% of the premises to be used for alcohol.

Title : 424 St John Street EC1

Islington Borough Boundary

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