



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	10 September 2015		Finsbury Park

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE REVIEW APPLICATION

Addis Ababa, 192 Seven Sisters Road, London, N4 3NX

Synopsis

- 1.1 On the 4 August 2015 the Licensing Team received notice from Highbury Corner Magistrates that a closure order under the Anti-Social Behaviour, Crime and Policing Act 2104 Part 4, Chapter 3, Section 80 has been issued in respect of the above names premises. This notification triggers an automatic review of the premises licence
- 1.2 A copy of the notice is attached as Appendix 1.

2 Relevant Representations

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

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

3. Background

3.1 The premises currently holds a licence allowing:

- i) The sale by retail of alcohol, on supplies: on Mondays to Thursdays 10:00 until 00:00, Friday, Saturday and Sunday 10:00 until 05:00.
- ii) The provision of regulated entertainment: live music and performance of dance on Mondays to Thursdays 10:00 until 00:00, Friday, Saturday and Sunday 10:00 until 05:00.
- iii) The provision of regulated entertainment for the playing of recorded music Monday to Sunday for 24 hours a day.
- iv) The provision of late night refreshment: Mondays to Thursdays 10:00 until 00:30, Friday, Saturday and Sunday 10:00 until 05:00.

3.2 The Licensing Service has received two responsible authority representations, from the Licensing Authority and the Metropolitan Police.

3.3 Papers are attached as follows:-

Appendix 1: Closure order issued by the courts

Appendix 2: current premises licence

Appendix 3: representations

Appendix 4: suggested conditions and map of premises location.

4. Planning Implications

4.1 The Planning & Development section have the following comments to make in relation to the above:

4.2 The consultation concerns the review of the premises licence for the establishment operating out of the ground floor and basement of 192 Seven Sisters Road. Records confirm that planning permission was granted for the use of the ground floor and basement as a restaurant operating under use class A3 on 7 November 2001, under ref. P010973. Condition 2 of this permission stated that the use should not operate except between 08.00 and 23.00 on any day.

4.3 There have been several enforcement cases relating to unauthorised works and use of the premise, including the use of the basement as a nightclub and breaches of the permitted hours of operation. Enforcement action has been taken and the owner/proprietor reminded on several occasions of the permitted operating hours. While the owner/proprietor's contention is that the use is lawful due to the passage of time, evidence is not conclusive on this aspect and further enforcement action is likely to be taken. The planning department would therefore strongly support the review of the premises licence. If a new licence were to be granted then we would

request that the hours of operation be limited to those that are permitted by the planning permission – only between 08.00 and 23.00 on any day.

5 Recommendations

- 5.1 To determine the application to review the premises licence under Section 53 of the Licensing Act.
- 5.2 The Committee must, having regard to the application and any relevant representations, take such steps as mentioned in Section 53 of the Act (if any) as it considers appropriate for the promotion of the licensing objectives.
- 5.3 The steps stated in Sections 53 of the Act are as follows:
- a) to modify the conditions of the licence; and for this purpose the conditions of the licence are modified if any of them are altered, omitted or any new condition is added;
 - b) to exclude a licensable activity from the scope of the licence;
 - c) to remove the designated premises supervisor;
 - d) to suspend the licence for a period not exceeding three months;
 - e) to revoke the licence;
 - f) the Committee also have the option to leave the licence in its existing state;
 - g) the Committee also has the power in relation to steps a) and b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

6 Conclusion and reasons for recommendations

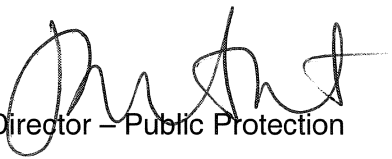
- 6.1 The Council is required to consider this review application in the light of all relevant information, and must take such steps as is considers appropriate to promote the licensing objectives.

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

17.8.15

Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

Re Addis Ababa

This is an application by the Metropolitan Police Service for a Closure Order (s.80 of the Anti-Social Behaviour, Crime and Policing Act 2014). The Respondent business is the Addis Ababa Restaurant located at 192 Seven Sisters Road, London N43NX. I have considered the documentary evidence presented in the agreed bundle, the cross examination of PC Haines and Mr Forde, the live evidence of Mr Geb Redengle (Licensee), and been provided with the identity of a resident whose statement is in the bundle. I am satisfied that although the respondent has only a redacted statement this hearsay evidence is admissible and will give it some weight, whilst taking into account that the witness has not given evidence and their identity has not be disclosed .

The property concerned is a restaurant and bar with an on premises licence to serve alcohol until 5am on Friday to Sunday inclusive and also to provide entertainment. Monday to Thursday alcohol can be served until midnight.

The only power I have today is to consider whether the order sought should be granted. I do not have any power to vary the licence conditions or indeed to order a review of the licence. I acknowledge the good will gesture made by the R to offer to vary his trading terms, but that will have to be considered by any review and the LA.

The Applicant's case is that the nature and extent of the antisocial behaviour and substantial nuisance being caused to members of the public, by those visiting, leaving, using or in the vicinity of the AA has caused such recent concern for the local community that as a last resort they have no choice but to seek the closure of the premises. They further invite me to find that the manner in which the premises has been managed and controlled, and the lack of effective management of the antisocial and criminal conduct associated with the premises, further supports their application.

The Respondent's case is that all that can reasonably be done, is being done. The management have complied with all licence requirements, have refurbished the property, dealt with noise levels, and take steps like cleaning the street and arranging minicabs to effectively deal with the recurrent problems effecting the local community. They point to the existence of inconsistent licences for close by similar

premises, the presence of two 24 off licences immediately opposite and steps taken to ensure CCTV is working. By calling the police whenever there is a problem – they consider they have taken sufficient steps to discharge their legal duties.

I am satisfied on the evidence before me of the following:

That a person has engaged, or is likely to engage, in disorderly, offensive or criminal behaviour on the premises, and

That the use of the premises has resulted in serious nuisance to members of the public, and

If the order is not made there is likely to be, disorder near those premises associated with the use of those premises.

In reaching this decision I accept that:

14 complaints to police about this property have been made in recent months.

9 incidents have been reported to the police between January and June 2015 requiring the police to be called out to the property involving violence and disorderly conduct – some of which was allegedly of a serious nature.

The incidents are all associated with people visiting, outside, inside or working at the property, or found in the immediate vicinity of the property.

The cumulative effect of the incidents placed before me have in my view caused considerable and continuing nuisance and disorder for the local residents of that part of Seven Sisters Road, particularly in the early hours of the morning when most people would be trying to sleep.

Alcohol and intoxication and the disorderly conduct that results from excessive drinking, very much features in these incidents and the disturbances caused on a regular basis.

In several of the incidents groups of individuals have been involved causing disturbance usually in the early hours of the morning, on just about every day

of the week.

The incidents 2, 3, 5, 8 and 9 occurred inside or within AA, or upon leaving regardless of presence of any off license and the single doorman.

A local resident was prepared to give evidence in written form who has been placed in fear of making complaints.

I therefore go on to consider whether the imposition of the order is necessary: In my judgment this order is necessary to prevent the behaviour, nuisance and disorder from continuing, recurring or occurring.

I am of the view that insufficient and inadequate steps and procedures are in place to manage and control the behavior of persons associated with the premises when outside the premises, and to some extent inside.

Given the continuing incidents in my view more should have been done and that insufficient concern has been raised for the nuisance caused to local residents by the operation of this very late license.

The procedures in place, including a single doorman and no clear door policy – are not adequate to prevent the disorder and nuisances occurring.

Despite the warning provided by PC Marshall to the business. Follow up letter in December 2014 – little appears to have been done to address the very real issue with this premises .

I am satisfied on the balance of probabilities that this order should be made.

Clearly the maximum period that the court can order is 3 months. I accept the review of the licence will take that time, but the LA could have been informed at any stage prior to today and it does not require a closure order – on the evidence I have heard to day – for a review to be instigated. In my view 3 months should be reserved for the most serious cases. Although this is a serious case I am not of the view that it is at the

top end. It is not the intention of this court that this business should fold, but that a closure order be granted to enable the business to improve its management practices and procedures to prevent the need for any further order or extension of this order.

Accordingly in my view the reasonable and proportionate length of the order will be 8 weeks.

Closure order until 24th September 2015.

Access will be prohibited to all persons except.....

1. The manager, owner, licensee, leaseholder or freeholder or any employee or cleaner is allowed access to the premises together with any servant or agent present with him in order to carry out repairs, maintenance, or cleaning to the premises (including the removal of any food , perishable goods or paperwork).
2. The manager, owner, licensee, leaseholder, freeholder, any employee or cleaner, of the business to carry out any activity that does not involve the provision of or sale of any food, drink (whether alcoholic or non alcoholic) or any service to any member of the public.
3. The licensee his employees or agents shall be permitted access to the premises for the purpose of staff training or for discussion with the police or local authority as is appropriate with a view to improving their management practises.

Michael Goodwin

30.7.15

**PREMISES LICENCE
 LICENSING ACT 2003**

Exhibit No: NF06

Signed: 

Date: 15 July 2015

Premises licence number	LN/7803-021214		
Postal address of premises, or if none, ordnance survey map reference or description			
ADDIS ABABA 192 SEVEN SISTERS ROAD			
Post town	London	Post code	N4 3NX
Telephone number	0207 272 2220		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground Floor and Basement only
<ul style="list-style-type: none"> • The provision of regulated entertainment by way of: <ul style="list-style-type: none"> The performance of live music The playing of recorded music The performance of dance • The provision of late night refreshment • The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities																																																															
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- The provision of regulated entertainment for the performance of dance:

Monday	18:00	to	00:00	
Tuesday	18:00	to	00:00	
Wednesday	18:00	to	00:00	
Thursday	18:00	to	00:00	
Friday	18:00	to	05:00	the following day
Saturday	18:00	to	05:00	the following day
Sunday	18:00	to	05:00	the following day

- The provision of late night refreshment:

Monday	23:00	to	00:30	the following day
Tuesday	23:00	to	00:30	the following day
Wednesday	23:00	to	00:30	the following day
Thursday	23:00	to	00:30	the following day
Friday	23:00	to	05:00	the following day
Saturday	23:00	to	05:00	the following day
Sunday	23:00	to	05:00	the following day

- The sale by retail of alcohol:

Monday	10:00	to	00:00	
Tuesday	10:00	to	00:00	
Wednesday	10:00	to	00:00	
Thursday	10:00	to	00:00	
Friday	10:00	to	05:00	the following day
Saturday	10:00	to	05:00	the following day
Sunday	12:00	to	05:00	the following day

Except on:

New Year's Eve until the time authorised on the following day.

The opening hours of the premises:

Monday	10:00	to	00:30	the following day
Tuesday	10:00	to	00:30	the following day
Wednesday	10:00	to	00:30	the following day
Thursday	10:00	to	00:30	the following day
Friday	10:00	to	05:00	the following day
Saturday	10:00	to	05:00	the following day
Sunday	12:00	to	05:00	the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Adhanom Gebredengal
2 Dowsett Road
London
N17 9DD
0798 523 3338
wadigebar@yahoo.com

Yemane Therethegi
182 Seven Sisters Road
London
N7 7PX
07429 491 021

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Binyam Shibiru
6 Lyon House
189 Freston Road
London
W10 6TH

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Royal Bourough of Kensington and Chelsea 07/023177/1

Islington Council
Public Protection Division
222 Upper Street
London
N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk

Service Manager – Commercial

Date of Issue

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003.

There are further 'Mandatory conditions' applicable to licences authorising the supply of alcohol. A full list of the current mandatory conditions is available from the licensing pages on Islington's web site, www.islington.gov.uk. This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

Annex 2 - Conditions consistent with the Operating Schedule

1. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
2. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:
Children and Young Persons Act 1933
Cinematograph (Safety) Regulations 1955
Sporting Events (Control of Alcohol Etc) Act 1985
3. The times that the licence authorises the supply of alcohol does not prohibit:
 - a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
 - b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - d) the supply to, or consumption by, any person of alcohol in any premises where they are residing.
4. When the premise is used for licensed activities after midnight at least one SIA registered door supervisor shall be employed.
5. The premises shall not be used under this licence until the arrangements at the premises are suitable and sufficient for health & safety and have been approved in writing by the responsible authority for health and safety.
6. The Applicant to appoint an acoustic consultant registered with the Institute of Acoustics with the brief to undertake a thorough acoustic survey of the neighbourhood

with regard to noise sensitive premises near the proposed licensed premises. The survey to identify representative existing background and ambient noise levels during all times of operation of the proposed licensed premises.

7. Using the results of the acoustic survey, and if so required carry out a scheme of sound insulation works and other noise control measures to be designed for the proposed licensed premises. The objective of the scheme is to ensure that music noise from the proposed licensed premises does not cause undue disturbance or is unreasonably intrusive.
8. The scheme of sound insulation works and other noise control measures designed for the proposed licensed premises to be submitted for approval by the Council before implementation and be suitably maintained. Any regulated entertainment shall not take place until the scheme of sound insulation works and other noise control measures has been undertaken in full and the licensee/s notified in writing of the commencement of operation of the licence.
9. All doors to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live music.
10. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents.
11. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
12. Premises to adopt BII Challenge 21 The National Proof Of Age Standards Scheme.

Annex 3 - Conditions attached after a hearing by the licensing authority

- 13 There will be no unaccompanied children under 18 on the premises at any time and no under 18 years old on the premises after 10.30pm except on Fridays and Saturdays when they may remain until 00:00 hours. Where there is a private function, persons under 18 will be able to remain on the premises until the terminal until the terminal hour of the function.

Annex 4 – Plans

Reference Number: ISL 117760/3156

**Premises Licence Summary
Licensing Act 2003**

Premises licence number LN/7803-021214

Premises details

Postal address of premises, or if none, ordnance survey map reference or description ADDIS ABABA 192 SEVEN SISTERS ROAD
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Post town London	Post code N4 3NX
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Telephone number 0207 272 2220

Where the licence is time limited the dates Not Applicable
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Licensable activities authorised by the licence Ground Floor and Basement only <ul style="list-style-type: none">• The provision of regulated entertainment by way of: The performance of live music The playing of recorded music The performance of dance• The provision of late night refreshment• The sale by retail of alcohol
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The times the licence authorises the carrying out of licensable activities <ul style="list-style-type: none">• The provision of regulated entertainment for the performance of live music:<table style="width: 100%;"><tr><td>Monday</td><td>18:00</td><td>to</td><td>00:00</td><td></td></tr><tr><td>Tuesday</td><td>18:00</td><td>to</td><td>00:00</td><td></td></tr><tr><td>Wednesday</td><td>18:00</td><td>to</td><td>00:00</td><td></td></tr><tr><td>Thursday</td><td>18:00</td><td>to</td><td>00:00</td><td></td></tr><tr><td>Friday</td><td>18:00</td><td>to</td><td>05:00</td><td>the following day</td></tr><tr><td>Saturday</td><td>18:00</td><td>to</td><td>05:00</td><td>the following day</td></tr><tr><td>Sunday</td><td>18:00</td><td>to</td><td>05:00</td><td>the following day</td></tr></table>	Monday	18:00	to	00:00		Tuesday	18:00	to	00:00		Wednesday	18:00	to	00:00		Thursday	18:00	to	00:00		Friday	18:00	to	05:00	the following day	Saturday	18:00	to	05:00	the following day	Sunday	18:00	to	05:00	the following day
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- The provision of regulated entertainment for the playing of recorded music:

Monday	00:00	to	24:00
Tuesday	00:00	to	24:00
Wednesday	00:00	to	24:00
Thursday	00:00	to	24:00
Friday	00:00	to	24:00
Saturday	00:00	to	24:00
Sunday	00:00	to	24:00

- The provision of regulated entertainment for the performance of dance:

Monday	18:00	to	00:00	
Tuesday	18:00	to	00:00	
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- The provision of late night refreshment:

Monday	23:00	to	00:30	the following day
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- The sale by retail of alcohol:

Monday	10:00	to	00:00	
Tuesday	10:00	to	00:00	
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Except on:

New Year's Eve until the time authorised on the following day.

The opening hours of the premises:

Monday	10:00	to	00:30	the following day
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Friday	10:00	to	05:00	the following day
Saturday	10:00	to	05:00	the following day
Sunday	12:00	to	05:00	the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On supplies

Name, (registered) address of holder of premises licence

Adhanom Gebredengal
2 Dowsett Road
London
N17 9DD

Yemane Therethegi
182 Seven Sisters Road
London
N7 7PX

Registered number of holder, for example company number, charity number (where applicable)

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Binyam Shibiru

State whether access to the premises by children is restricted or prohibited

It is an offence to allow persons under the age of 16 years to be on the premises whilst it is open exclusively or primarily for the supply of alcohol for consumption on the premises unless they are accompanied by a person aged 18 or over. No unaccompanied person under the age of 16 years shall be permitted on the premises between 12 midnight and 5am if alcohol is supplied for consumption on the premises.

No restrictions

Islington Council
Public Protection Division
159 Upper Street
London
N1 1RE
Tel: 020 7527 3031/3803
Email: licensing@islington.gov.uk

Your

Our Licensing/NI

Date: 06/08/2015



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

Email:
licensingpolice@islington.gov.uk

PREMISES LICENSE REVIEW:

Addis Ababa
192 Seven Sister Road
London
N4 3NX

Dear Sir/Madam

Re: Addis Ababa

With reference to the above application, we are writing to inform you that the Metropolitan Police, as a Responsible Authority, will be supporting this application for a review of a premises license under Section 167 Licensing Act 2003.

On the 30th of July 2015 Highbury Corner Magistrates Court issued a closure order under the Anti-Social Behaviour, Crime and Policing Act 2014 Part 4, Chapter 3, Section 80. This decision triggered the review of the premises under the said section.

Summary of Events

The following is a précis of the evidence on which the court based their decision. All of the following incidents relate directly to customers or staff at the premises.

3rd January 2015 – 2.56am.

Two calls to the police regarding drunken men fighting outside the premises. One of the men is identified as the manager, Abdul HAMID

10th January 2015 - 5.00am.

Male found near to the premises with an eye injury consistent with GBH. The male was aggressive and reluctant to assist police. The following day, the same male seemingly had a change of heart and reported that he had been assaulted with a glass at the venue.

1st February 2015 – 4.53am.

Police received two calls to a male with a head injury and possible broken nose, caused by three males who had followed the victim out of the venue. All parties involved were incoherently drunk. No staff called police, and CCTV was not supplied.

9th March 2015 – 2.35am.

Police called to a 'mass brawl' at the premises. During the investigation it transpired that the men involved in the fight were seen by staff fighting earlier in the evening nearby to the premises, and we still permitted entry.

23rd April 2015 – 2.20am.

Police called to a fight outside the premises, one male had injuries to his arm causing bleeding. A member of staff, Mr Gebredengal was unwilling to show police CCTV footage. The investigation was not progressed due to lack of co-operation from the victim and witnesses.

17th May 2015 – 4.10am.

Various calls were made to the police regarding drugs being smoked and fighting outside the premises. One male was arrested for Affray

25th May 2015 - 00.35am.

Two calls made to the police regarding general disorder and drunkenness. Police charged one male with drunk and disorderly behaviour.

30th May 2015 – 11.41pm.

Owner of the venue called police to say that his life was being threatened. Suspect was arrested, very drunk and subsequently assaulted two police officers.

The following incident was not included in the original case heard at court because it occurred since the paperwork had been collated.

5th June 2015 – 00.50am.

Police were called to a male smashing glasses at the venue; the suspect made off but was pointed out nearby by the manager of the premises. He was arrested for criminal damage, it was noted upon arrest that he was very drunk.

In July 2015 the licensee Mr Gebredenghal was informed by the local policing team of their intention to issue a closure notice and seek a closure order from the court. During this meeting Mr Gebredenghal stated that in order to prevent further incident of disorder/violence occurring he would close at 3 or 4 am, he would not commit. He stated that after midnight plastic glasses would be used and if anyone fought at the venue, he would move them away. In relation to failure to provide CCTV he stated that he would obtain a USB stick the following day.

Summary

This area of Seven Sisters Road has for several months been Islington Boroughs violence with injury hotspot. Addis Ababa are the only on-licensed venue in the vicinity that can trade beyond midnight. Therefore without question Addis Ababa have contributed enormously to this statistic, post midnight.

The licensee has continued to prove that he is unable to manage a late night licensed venue. He is unable to adhere to the licensing objectives. He has not prevented crime and disorder, public nuisance or afforded the public attending his venue a level of safety. He has exhibited a nonchalant attitude toward all of the problems, so much so, that if he were to apply to transfer a licence into his name, based on this factual evidence of his management, we would refuse it immediately.

If the committee are of a mind to permit the business to continue trading and not revoke the licence, we would recommend a change in permitted hours and more robust comprehensive conditions added to their premises licence.

As a result of all of the incidents occurring after midnight, it is our opinion that the venue needs to be shut by midnight to prevent excess drinking, anti-social behaviour, crime and violence.

We recommend that the permitted opening hours of the business are altered from Monday to Thursday 10am to 00.30am, Friday to Saturday 10am to 5.00am and Sunday 12pm to 5.00am to the following;
Sunday to Thursday 10am to 11pm
Friday and Saturday 10am to midnight.

We recommend the following conditions be added to the licence;

1.

A. If a customer is found to be in possession of what you or your staff consider to be personal use drugs. The drugs are confiscated and sealed in a police evidence bag, timed, dated and signed by the staff member seizing. Request details of the person you are seizing the drugs from, and for your security and evidential purposes make a CCTV capture of the seizure. The customer is ejected/banned from the venue. The seized drugs are then placed in the safe. An entry is placed in the 'drug seizure log', which is also kept in the safe. This entry will detail, the time, date, person seizing and the number of the police evidence bag.

B. If a customer is found to be in possession of what you or your staff believe to be a quantity of drugs for more than just personal possession/suspected of dealing. The customer is detained and police are called. The drugs are confiscated and sealed in a police evidence bag. For your security and evidential purposes make a CCTV capture of the seizure. Make available any CCTV footage of the incident to police, as per licence conditions

It is the responsibility of the venue to inform the police when they have drugs to be collected. They will need to contact officers from the local neighbourhood team in order for the drugs to be collected. Officers collecting the drugs will sign the 'drug seizure log' to state they have been removed from the safe at the venue.

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.

There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

Annex 2 Condition 4 be removed and replaced with;

4.

At least 1 SIA licensed door supervisor shall be on duty at the entrance of the premises at all times whilst it is open for business after 2100 hours on any day that the venue is open, until 30 minutes after the venue has closed.

5.

Door Supervisors to display their SIA licence by means of a luminous arm band.

6.

Door supervisors to have no prior association with the venue or management of the venue

7.

All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

8.

Door Supervisors Register – A register shall be maintained recording all SIA door supervisors employed at the premises. This shall include their name, badge number, the agency they work for (if any) and the time they start and finish work.

9.

Management shall take a photocopy of all door staff SIA badges and secure them in a personnel folder and place this in the safe.

10.

All persons visiting or re-entering the premises after 2100 hours will be subject to a search by means of an electronic hand held wand. If the search wand is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search. There will be at least 2 fully functional wands in use at the premises.

11.

All drinking vessels used in the venue shall be polycarbonate. All alcohol in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served.

12.

Customers shall enter or leave the premises by the main front door to the premises, except in the event of an emergency.

13.

Notices shall be displayed reminding patrons to use the toilets before exiting the premises.

14.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Annex 2 Condition 12 be removed and replaced with;

15.

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Annex 3 Condition 13 be removed and replaced with;

16.

There shall be no unaccompanied children under 18 years on the premises at any time and no children after 23.00.

17.

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

18.

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take any drinks in any vessel with them.

19.

The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

20.

In the event that an assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

(a) The police (and, where appropriate, the London Ambulance Service) are called without delay;

(b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;

(c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and

(d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

Annex 2 Condition 11 be removed and replaced with;

21.

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. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.

Islington Police Licensing Team

Pc Peter Conisbee
Pc Steven Harrington
Pc Nick Pamboris

Licensing Act 2003- Representation from the Licensing Authority
Application: Addis Ababa192 Seven Sisters Road, London, N4 3NX

I am submitting a representation on behalf of the Licensing Authority with respect to the police application to review the premises licence.

The grounds for the representation are:

- The prevention of public nuisance
- The prevention of crime and disorder

Licensing Policy Considerations

Licensing Policies 9 & 10 Standards of Management and Saturation

Licensing Policy 30 Review of Licences

Issues of Concern

On the 4 August 2015 the Licensing Team received notice from Highbury Corner Magistrates that a closure order under the Anti-Social Behaviour, Crime and Policing Act 2014 Part 4, Chapter 3, Section 80 has been issued in respect of the above names premises.

As a result of this order an automatic review application is triggered.

The Licensing Authority supports the review application as it believes that the management of the premises is undermining the licensing objectives.

I have attached a witness statement by one of our licensing officers written in support of the recent Police Closure order. This details the Licensing Team interaction with the premises, the licensing authority is seriously concerned about the ability of the management of the premises to run this licensed premises especially after midnight.

Recommendations

In order to promote the licensing objectives it is recommended that the licensing committee considers the application and any mitigation put forward by the Licence Holder and makes a proportionate and appropriate decision.

The licensing authority would be satisfied if the licence was amended to make the premises a food lead business, rather than as a late night drinking establishment which has led to several serious incidents of crime and disorder in and around the premises.

The Licensing Authority suggests the following conditions:

1. The sale of alcohol shall be ancillary to a table meal.
2. No vertical drinking shall be permitted.
3. Amend the permitted hours for the supply of alcohol to
 - a. 10am to midnight Mondays to Saturdays
 - b. 12noon to 10.30pm Sundays

Janice Gibbons
Service Manager
Janice.gibbons@islington.gov.uk
020 7527 3212

5 August 2015

STATEMENT OF WITNESS

*(Criminal Procedure Rules 2005, r27.1(1); Criminal Justice Act 1967, s.9,
Magistrates' Courts Act 1980, s.5B)*

Statement of: Niall Forde

Age of Witness (If under 18): Over 18

Occupation of Witness: Licensing Officer

This statement consisting of 7 pages signed by me is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecution, if I have wilfully stated in it anything, which I know to be false or do not believe to be true.

Signature:-

Date:-

My name is Niall Forde and I have been employed as the Licensing Officer with the London Borough of Islington ("LBI") since August 2006. I hold the Certificate of Higher Education in Licensing Law and a Foundation Degree in Crowd and Safety Management. My duties include the enforcement of licensing legislation, processing applications, producing reports for Licensing Committee hearings, attending hearings and attending court for appeals and prosecutions.

This is a witness statement in relation to the premises known as Addis Ababa, located at 192 Seven Sisters Road, London N4 3NX. This premises benefits from a premises licence issued by Islington Council under the Licensing Act 2003.

The premises licence permits the sale of alcohol for the sale of alcohol for consumption 'on' the premises only from 10:00 until 00:00 Monday to Thursday and from 10:00 until 05:00 the days following Friday, Saturday and Sunday. The licence also permits the provision of live music and the performance of dance Monday to Thursday from 18:00 to 00:00 and Friday to Sunday from 18:00 until 05:00, recorded music 24 hours daily, and the provision of late night refreshment Monday to Thursday from 23:00 to 00:30 the day following, and Friday to Sunday from 23:00 to 05:00 the day following. I attach a copy of the licence LN7803 as **Exhibit NF01**.

The licence was issued to the licence holder Mr Binyam Shibiru in April 2008.

The premises was closed for a few years. On the 8 August 2014 at 21:44I was conducting licensing inspections with my colleague Dan Whitton when we walked past the premises at 192 Seven Sisters Road. We noticed that it was open and appeared to be trading. We decided to go in to carry out a 'During Performance Visit', as I had not seen it trading for a while. We entered the premises and spoke to a man who gave his name as Adelwahih Idris Hamid. He advised he was the owner of the premises, and showed us the land registry document to show that he had transferred on to the lease in April. He told us that Mr Shibiru, the DPS named on the premises licence, was still working at the premises and confirmed that Mr Shibiru was a member of his family. Mr Hamid stated the premises was closing at 2am. The CCTV system monitors appeared to be working and showed the correct time. He had a gold coloured copy of the current premises licence available to show us. I asked him if the downstairs was open, he stated it was. I looked through the licence conditions, when I pointed out condition number 4, relating to the need for one door supervisor to be working at the premise after midnight, Mr Hamid confirmed he was not aware of the condition.

He said that he wanted to make an application for the premises to transfer the licence into his name. Mr Hamid gave his telephone number as [REDACTED]

On 14 August 2014 a Mr Muhammed called our offices to say he wanted to ask for an application to transfer the premises licence in respect of this premises. He stated he also wanted to complain about some of the other premises in the vicinity of 192 Seven Sisters Road. I advised that as we found the premises operating in breach of it licence. I said when the premises were transferred and running correctly they could think about making complaint about them.

On the 15 August 2014 I again visited the premises this time at 23:30 with my colleague Dan Whitton. I entered premises and could clearly hear amplified music emanating from the basement. I noted that there were approximately, four customers' playing cards to the rear of ground floor and four more playing pool at very back of premises. I asked to speak to the manager or the person in charge of the premises. I finally spoke to Abelwahid Idris Hamid who stated he was the licensee. I explained that we were visiting the premises, as Islington Council's Licensing Team had received reports that the premises did not have a current Designated Premises Supervisor. Mr Hamid introduced us to a man who stated he

had just completed his personal licence examination and was awaiting his personal licence to be issued by the London Borough of Haringey. I explained that the premises was unable to sell alcohol as there was no designated premises supervisor to authorise the sale of alcohol, as required by the Licensing Act 2003.

We walked through basement and noted that there were approximately twelve customers drinking at the tables laid out in the basement. Mr Hamid stated that he is trying very hard to comply with all requirements. We then left the premises.

On the 18 August 2014 I received report from Islington Council's CCTV Unit that the premises were open after licensable hours on the Saturday the 16 August 2014. I viewed the CCTV footage of the premises in the CCTV office and I witnessed that at 08:48 a group of African males and a female exiting from Addis Ababa Café at 192 Seven Sisters Road by Yonge Park. They all looked very intoxicated. A fight broke out between the group of people and I witnessed a bottle being used as a weapon, which the Police confirmed resulted in GBH. I witnessed a Police Unit on the CCTV were dispatched to the location as the subjects were making away from the scene. CCTV cameras followed the group down to Medina Road, junction with Isledon Road where the subjects were arrested. This resulted in a CAD: 4963 reference on the Police system.

On the 18 August 2014 I wrote Mr Idris Hamid to request copies of the CCTV from all the cameras at the premises between the hours of 00:00 and 09:00 on Saturday 17 August 2014. A copy of this letter is attached as **Exhibit NF02**. In addition I also wrote to Mr Hamid to invite him into a Police and Criminal Evidence (PACE) interview to be held on Wednesday 27 August 2014 at 11:30 at the Council offices. A copy of this letter is attached as **Exhibit NF03**. Mr Hamid was unable to make the interview on this day, and so it was rescheduled for Tuesday 16 September 2014 at 14:00.

On Friday 4 September 2014 I requested that my colleagues Simon Gallacher and Katie Tomashevski visit the premises, as the premises had failed to supply me with the CCTV images as requested on the 16 August 2014. They were accompanied to the premises by PC Conisbee from Islington Police licensing team and visited at 21:40 on 4 September 2014.

The report of their visit confirmed they spoke to Idris Hamid about a pending designated premises supervisor (DPS) variation application. They advised that the form he had submitted showed two proposed DPSs named, plus consent forms

showing two further names. It was explained to Mr Hamid that he could only delegate one DPS. He picked one of the four names as the most appropriate for the role and confirmed that that person had a personal licence. He called that person by telephone while my colleagues were at the premises, to confirm that their personal licence had been issued by Islington. The application forms were amended at the time of the visit, so they were correct, and Mr Hamid initialled the changes.

At the time of the visit, my colleagues also handed Mr Hamid a letter inviting him to attend a PACE interview in relation to the CCTV not working at the time of my visit on 16 August 2014. A general discussion ensued between my colleagues and Mr Hamid, during which he expressed concerns that more should be done to help small businesses. It was explained to him that was what we were trying to do, and officers had now made several advisory visits to the restaurant and had emphasised the importance of complying with licence conditions. Mr Hamid asked my colleagues to view his CCTV system, which he acknowledged had not been working but was now working as of the previous day. They viewed the CCTV and noted that the time on the screen appeared to be 7 minutes fast. Mr Hamid did not know how to operate the system and he was advised that he receive instructions on how to operate it.

On 16 September 2014 Mr Idris Hamid came into 222 Upper Street, Islington, London, N1 1XR for a pace interview. The interview was conducted by Niall Forde and PC Peter Conisbee. Mr Hamid confirmed his date of birth was [REDACTED], and his home address as being [REDACTED]

He was questioned about the incidents on the 16 August 2014. He admitted that on this evening he did not have any door staff on duty and that on the same date his CCTV was not working. It was pointed out to Mr Hamid that on this particular date our local authority CCTV showed numerous people entering/leaving the premises via a lowered shutter at 08.50 am. We showed the corresponding CCTV to him during the interview. The shutter was down so low that people had to bend to get into the venue. Mr Hamid stated that he had shut the venue at 05:00, leaving it locked. Yet when asked if we could be witnessing a burglary he nonchalantly stated no, and that he knew the people going in and out, albeit they should not have been doing so. Mr Hamid displayed no concern whatsoever to the furore that was taking place outside the venue on that day.

Mr Hamid confirmed at the interview that he had bought the lease for the premises in April this year (2014), and has been operating the premises as the manager since August.

Mr Hamid informed me and PC Conisbee, during this interview that he had no knowledge of the Licensing Act, and had in fact never even read the licence in place at the premises.

On the 1 September 2014 the Council received a transfer and designated premises application in respect of the premises known as Addis Ababa, 192 Seven Sisters Road, London. N4 3NX into Mr Hamid's name.

I visited the premises again on 19 September 2014 at 02:35 as part of a multi agency operation with the Police

On arriving at the entrance of the premises, I spoke with the door supervisor. I asked how many people were inside, he replied a couple and in my opinion, was generally being obstructive. I entered the premises with the other officers involved in the operation and noted five persons on the ground floor, and the coffee bar area was not being used. However, on entering the basement, I noted the area was full, and that recorded music is playing. I noted that it was not being played through a limiter. The bar in the basement was open and was being operated by a man who gave his name as Mr Yemane Therathegi. I returned to the ground floor to speak with the new owner Mr Hamid. Whilst speaking to Mr Hamid I made it clear that I was not impressed with the door supervisors attitude and requested his SIA details. The door supervisor did not want to supply his details and continued to be obstructive. By this time, a congregation of customers had built up around us. At this stage I decided to go to the next door premises where PC Paul Hoppe had to request assistance. PC Hoppe came to Addis Ababa and spoke to the door supervisor. The door supervisor continued to be obstructive and I discussed the possibility of closing the venue with PC Hoppe. The door supervisor at this stage moved to a quiet corner of the room to speak with PC Hoppe. PC Hoppe obtained his SIA details, which were in order. His details are as follows: Mr D. Abayan, badge number - [REDACTED], expiry date 15 Jan 2017

There were no other licensing issues at the venue and so we left.

Once away from the premises PC Hoppe advised me that Mr Abayan had stated in confidence that he held back information to save face in front of the customers. He argued that respect of the customers was essential to managing them effectively.

As a result of the PACE interview held on 16 September, an application for the transfer of the premises licence into the name of Abdel Wahid was made. This application received an objection from the Police Licensing Unit and was therefore referred to the Council's Committee for determination. A copy of the report including copies of the applications and objections from the Police are attached as **NF Appendix 4**. On the 23 October 2014 Members of the Licensing Sub Committee determined to refuse the application. A copy of the minutes of this meeting, including the reasons for the decision are attached as **NF Appendix 5**.

After the decision of the licensing committee the premises stopped selling alcohol for a short period of time. On the 2 November 2014 the Council received an application to transfer the licence into the names of Adhanom Gebredegel, [REDACTED] London, [REDACTED] and Yemane Therethegi, [REDACTED] London, [REDACTED]. This application was approved and was granted on 2 December 2014.

On 25 April 2015 at 01:02, I visited the premises with my licensing colleague Katie Tomashevski and Police Licensing Officer PC Nick Pamboris. We spoke to Adhamnom Gebredengal (AG) who had a personal licence which he duly showed to us. It was Personal Licence issued by the London Borough of Haringay, number LN/000013376. At the time of the visit to the premises, there were about 25-30 people inside. A female door supervisor on duty, her details were Ms T Tesfaye, badge number [REDACTED]. Ms Tesfaye told us that there were five people in the premises at the time.

The time on the CCTV was showing as running an hour behind. We asked MR Adhamnom Gebredengal to confirm who Mr Idris Hamid was and we were told he was AGs "Partner" and held the lease for the premises.

Katie Tomashevski clarified with AG that Mr Idris Hamid was in fact his business partner, and so was still involved in the management of the premises. It was confirmed that Mr Idris Hamid was also still the leaseholder of the premises. Katie Tomashevski took photographs of the emergency exit at the back of the premises, showing it was blocked (photos) at the time of the visit. The visit also uncovered that the emergency lighting not working, that two smoke alarms (kitchen and back room) were covered with a red plastic builders cover and the only extinguisher was out of date and had been placed in the in the back room and not the kitchen. These photographs are attached as **NF Appendix 6**.

On 22 April 2015 I requested copies of CCTV from 23:00 to 03:00 from the 2 April 2015 from the licence holder. The reason for this request was the Council's CCTV unit had reported to me that on the 2 April 2015, that at 02:30, the Metropolitan Police control room had circulated that a male was reported bleeding profusely from his fingers and arm at 192 Seven Sisters Road (ADIS ABABA).

The premises provided CCTV from its cameras to the offices of Islington Council, however, Islington's system was unable to play the footage, it was on a format our system didn't recognise.

The evidence from the visits to the premises indicate that premises is still under the same management as it was in August 2014, with Mr Hamid being in control of the premises on a day to day basis. It is apparent that the management are still not managing the premises to the standards expected for a late night venue selling alcohol in Islington. I have requested all of the Police reports for the venue over the 11 month period since it reopened, as I suspect that these will also provide evidence that the premises is still operating in breach of its licence, and this evidence would assist Islington Council's Licensing Team in taking appropriate enforcement action in respect of the premises

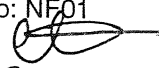
Signature:- _____

Name:- _____

Dated:- _____

Premises Licence Summary Licensing Act 2003

Exhibit No: NF01

Signed: 

Date: 15 July 2015

Premises licence number 117760/3156

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**ADDIS ABABA
192 SEVEN SISTERS ROAD**

Post town London **Post code** N4 3NX

Telephone number 0207 272 2220

Where the licence is time limited the dates

Not Applicable

**Licensable activities authorised by the licence
Ground Floor and Basement only**

- The provision of regulated entertainment by way of:
The performance of live music
The playing of recorded music
The performance of dance
- The provision of entertainment facilities for:
Making music
Dancing
- The provision of late night refreshment
- The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

- The provision of regulated entertainment for the performance of live music:

Monday	18:00	to	00:00	
Tuesday	18:00	to	00:00	
Wednesday	18:00	to	00:00	
Thursday	18:00	to	00:00	
Friday	18:00	to	05:00	the following day
Saturday	18:00	to	05:00	the following day
Sunday	18:00	to	05:00	the following day



ISLINGTON

- The provision of regulated entertainment for the playing of recorded music:

Monday	00:00	to	24:00
Tuesday	00:00	to	24:00
Wednesday	00:00	to	24:00
Thursday	00:00	to	24:00
Friday	00:00	to	24:00
Saturday	00:00	to	24:00
Sunday	00:00	to	24:00

- The provision of regulated entertainment for the performance of dance:

Monday	18:00	to	00:00	
Tuesday	18:00	to	00:00	
Wednesday	18:00	to	00:00	
Thursday	18:00	to	00:00	
Friday	18:00	to	05:00	the following day
Saturday	18:00	to	05:00	the following day
Sunday	18:00	to	05:00	the following day

- The provision of entertainment facilities for dancing:

Friday	18:00	to	05:00	the following day
Saturday	18:00	to	05:00	the following day
Sunday	18:00	to	05:00	the following day

- The provision of late night refreshment:

Monday	23:00	to	00:30	the following day
Tuesday	23:00	to	00:30	the following day
Wednesday	23:00	to	00:30	the following day
Thursday	23:00	to	00:30	the following day
Friday	23:00	to	05:00	the following day
Saturday	23:00	to	05:00	the following day
Sunday	23:00	to	05:00	the following day

- The sale by retail of alcohol:

Monday	10:00	to	00:00	
Tuesday	10:00	to	00:00	
Wednesday	10:00	to	00:00	
Thursday	10:00	to	00:00	
Friday	10:00	to	05:00	the following day
Saturday	10:00	to	05:00	the following day
Sunday	12:00	to	05:00	the following day

Except on:

New Year's Eve until the time authorised on the following day.

The opening hours of the premises:

Monday	10:00	to	00:30	the following day
Tuesday	10:00	to	00:30	the following day
Wednesday	10:00	to	00:30	the following day
Thursday	10:00	to	00:30	the following day
Friday	10:00	to	05:00	the following day
Saturday	10:00	to	05:00	the following day
Sunday	12:00	to	05:00	the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On supplies

Name, (registered) address of holder of premises licence

Mr Binyam Shibiru
6 Lyon House
189 Freston Road
London
W10 6TH

Registered number of holder, for example company number, charity number (where applicable)

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Binyam Shibiru

State whether access to the premises by children is restricted or prohibited

It is an offence to allow persons under the age of 16 years to be on the premises whilst it is open exclusively or primarily for the supply of alcohol for consumption on the premises unless they are accompanied by a person aged 18 or over. No unaccompanied person under the age of 16 years shall be permitted on the premises between 12 midnight and 5am if alcohol is supplied for consumption on the premises.
No restrictions

Islington Council
Public Protection Division
159 Upper Street
London
N1 1RE
Tel: 020 7527 3031/3803
Email: licensing@islington.gov.uk

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003

Annex 2 - Conditions consistent with the Operating Schedule

1. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
2. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:
Children and Young Persons Act 1933
Cinematograph (Safety) Regulations 1955
Sporting Events (Control of Alcohol Etc) Act 1985
3. The times that the licence authorises the supply of alcohol does not prohibit:
 - a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
 - b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - d) the supply to, or consumption by, any person of alcohol in any premises where they are residing.
4. When the premise is used for licensed activities after midnight at least one SIA registered door supervisor shall be employed.
5. The premises shall not be used under this licence until the arrangements at the premises are suitable and sufficient for health & safety and have been approved in writing by the responsible authority for health and safety.
6. The Applicant to appoint an acoustic consultant registered with the Institute of Acoustics with the brief to undertake a thorough acoustic survey of the neighbourhood with regard to noise sensitive premises near the proposed licensed premises. The survey to identify representative existing background

and ambient noise levels during all times of operation of the proposed licensed premises.


7. Using the results of the acoustic survey, and if so required carry out a scheme of sound insulation works and other noise control measures to be designed for the proposed licensed premises. The objective of the scheme is to ensure that music noise from the proposed licensed premises does not cause undue disturbance or is unreasonably intrusive.
8. The scheme of sound insulation works and other noise control measures designed for the proposed licensed premises to be submitted for approval by the Council before implementation and be suitably maintained. Any regulated entertainment shall not take place until the scheme of sound insulation works and other noise control measures has been undertaken in full and the licensee/s notified in writing of the commencement of operation of the licence.
9. All doors to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live music.
10. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents.
11. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
12. Premises to adopt BII Challenge 21 The National Proof Of Age Standards Scheme.

Annex 3 - Conditions attached after a hearing by the licensing authority

- 13 There will be no unaccompanied children under 18 on the premises at any time and no under 18 years old on the premises after 10.30pm except on Fridays and Saturdays when they may remain until 00:00 hours. Where there is a private function, persons under 18 will be able to remain on the premises until the terminal until the terminal hour of the function.

Annex 4 – Plans

Reference Number: ISL 117760/3156

Exhibit No: NF02
Signed: 
Date: 15/5/15 2015

Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

Mr Idris Hamid,
Addis Ababa,
192 Seven Sisters Road
London,
N4 3NX

T 020 7527 3227
F 020 7527 3057
E licensing@islington.gov.uk
W www.islington.gov.uk

This matter is being dealt with by:
Niall Forde

Our ref: LN11770-3156
Date: 18 August 2014

Delivered by hand.

Dear Mr Idris Hamid,

LICENSING ACT 2003

RE: ADDIS ABABA, 192 SEVEN SISTERS ROAD, LONDON, N4 3NX

Following a complaint received about the above premises opening after hours on the early Friday 16th August / Saturday 17th August 2014.

The Council has CCTV footage of people leaving your venue at 08:25 and also a fight taking place between customers outside the premises shortly after leaving the premises

When we visited Council Officer visited the above premises on 8 August 2014 you identified yourself as the responsible person for the premises therefore I am writing to you to request the CCTV footage for this evening.

The premises licence for the above address contains the following condition at Annex 3 Condition 11 which reads:

“CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

I am therefore requesting copies of the **CCTV from all the cameras at the premises from 00:00 to 09:00 on Saturday 17 August 2014.**

Please ensure that copies of the CCTV are delivered to the Council Offices at the address above by 12:00 Thursday 21 August 2014.

In addition Annex 3 condition 4 requires that;

“When the premises is used for licensable activities after midnight at least one SIA registered door supervisor shall be employed.”

Can you also supply detailed of the SIA door supervisor employed during this period, including full name, home address and badge number.

I remind you that it is an offence to allow the provision of licensable activities other than in accordance with a premises licence. A person found guilty of such an offence is liable to a maximum fine of £20,000 and or 6 months imprisonment.

In addition I enclose a separate letter inviting you into a **Police and criminal evidence act 1984 interview in relation to this incident.**

Should you have any queries on any of the above licensing matters than please do not hesitate to contact us.

Yours sincerely

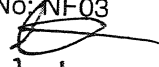
Niall Forde
Licensing Officer



ISLINGTON

Environment and Regeneration

Islington Council
Licensing Team
222 Upper Street
London N1 1XR
Tel: 020 7527 3047

Licensing Team
Public Protection Exhibit No: NF03
222 Upper Street Signed: 
London N1 1XR Date: 18/8/14 2015

Mr Idris Hamid,
Addis Ababa,
192 Seven Sisters Road
London,
N4 3NX

T 020 7527 3227
F 020 7527 3057
E niall.forde@islington.gov.uk
W www.islington.gov.uk

Please reply to: **Niall Forde**
Date: 18 August 2014

Dear Mr Hamid,

INVITATION TO INTERVIEW UNDER CAUTION

POLICE AND CRIMINAL EVIDENCE ACT 1984 / LICENSING ACT 2003

RE: RE: ADDIS ABABA, 192 SEVEN SISTERS ROAD, LONDON, N4 3NX

Further to the visit and my letter delivered to your premises on 18 August 2014, requesting CCTV from an evening at your premises I would like to interview you as part of the investigation of possible offences under part 7 sections 136 of the Licensing Act 2003, and the Health Act 2006.

Any person found guilty of allowing the premises to be used for an unlicensed activity be liable to a maximum fine of £20,000 and or 6 months imprisonment. .

It may be appropriate for the council to institute legal proceedings against you after so I also wish to give you an opportunity to offer an explanation for the alleged offences.

In furtherance of this investigation we would now like to interview you formally regarding the matter.

- The interview will be under caution and tape recorded with full regard to the Police and Criminal Evidence Act 1984.
- You are entitled to legal representation and to have that person present if you wish.
- You will not be under arrest and will be free to leave at any time.

The interview will take place on **Wednesday 27 August 2014 at 1130am** and will be conducted by Licensing Officer Niall Forde and a Police Licensing officer. The interview will take place at our offices located at 222 Upper Street, London N1 1XR.

I would be grateful if you could please confirm your attendance at this interview and whether you will be bringing a legal representative with you. If you wish to have an interpreter with you during the interview, the Council will provide one as long as you give us advance notice of this requirement.

I can be contacted at the above address for this or any other queries.

Yours sincerely

Niall Forde
Licensing Officer

Your

Our Licensing/NI

Date: 20th September 2014



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

Abdul Wahid Idris HAMID
192 Seven Sisters Road
LONDON
N4 3NY

Telephone: 020 7 527 2323
Facsimile:
Email:
Licensingpolice@Islington.gov.uk

Dear Sir

Re: ADDIS ABABA – 192 Seven Sisters Road, London, N4 3NY

Premises Licence (Transfer) and DPS Variation

With reference to the above application, I am 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 one of the local authority Licensing Objectives, being the Prevention of Crime and Disorder.

On Tuesday the 16th of September a council licensing officer conducted a P.A.C.E. interview with the leaseholder, proposed licensee of this premises, Mr Abdul Wahid. Police were present during this interview.

Mr Wahid bought the lease for the premises in April this year (2014), and has been operating the premises as the manager since August.

He informed both the licensing officer and the police during this interview that he had no knowledge of the licensing act, and had in fact never even read the licence for the premises.

Under annex 2 of the licence titled 'Conditions consistent with the Operating Schedule' I would like to bring attention to items 4 and 11 which read as follows;

4. When the premise is used for licensed activities after midnight at least one SIA registered door supervisor shall be employed.

11. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

He admitted that on the 16th of August 2014 he did not have any door staff on duty, and that on the same date his CCTV was not working.

On that particular date local authority CCTV revealed numerous people entering/leaving the premises via a lowered shutter at 08.50 am. The shutter was so low down that people were having to bend to get into the venue. He stated that he had shut the venue at 0500 hours, leaving it locked. Yet when asked if we could be

witnessing a burglary he nonchalantly stated no, and that he knew the people going in and out. Albeit the, should not have been doing so, he displayed no concern whatsoever to the furore that was taking place outside the venue on that day.

His words, lack of concern and reaction to this event does not give any confidence that he would be able to run a safe, crime free venue, and in turn we feel that in no way whatsoever would he be able to promote the licensing objectives.

It is for 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 me on Mobile 07799133204 or via email, policelicensing@islington.gov.uk.


Yours sincerely

Peter Conisbee Pc 575NI

Paul Hoppe Pc 208NI

Steven Harrington Pc 425NI

Islington Police Licensing Team

Exhibit No: NF04
Signed: 
Date: 15 July 2015

Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	23rd October 2014		Finsbury Park

Appendices to the report are exempt and are not for publication.

**Subject: APPLICATION TO TRANSFER AND VARY THE DESIGNATED PREMISES SUPERVISOR AT THE PREMISES
ADDIS ABABA, 192 SEVEN SISTERS ROAD, LONDON, N4 3NX**

Synopsis

1.1 The police have objected to the application to Transfer and vary the DPS of the premise licence under the Licensing Act 2003 at the premises.

1. Relevant Representations

Metropolitan Police	Yes
---------------------	-----

3. Background

3.1 Papers are attached as follows:- (Exempt).
Appendix 1: application form; current premises licence
Appendix 2: representation;
Appendix 3: map of premises location.

4. Planning Implications

4.1 None.

5 Recommendations

5.1 To determine the application to vary the designated premises supervisor of the premises licence under Section 37 of the Licensing Act 2003.

- 5.2 To consider the representation from the Police in the light of the revised Secretary of State Guidance to Local Authorities issued on 25th April 2012 namely:
- 5.3 The Licensing Authority should accept all reasonable and proportionate representations made by the Police unless the Authority has evidence that to do so would not be appropriate for the promotion of the Licensing Objectives.
- 5.4 To determine the application to vary the designated premises supervisor of the premises licence under Section 42 of the Licensing Act 2003.

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

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 7527 3031

E-mail: licensing@islington.gov.uk

APPLICATION TO VARY A PREMISES LICENCE TO SPECIFY AN INDIVIDUAL AS DESIGNATED PREMISES SUPERVISOR UNDER THE LICENSING ACT 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I / we ABDELWAHID IDRIS HAMID.

(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

117760 / 3156

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description		Date 1/9/14 Fee £ 23.00	
192 SEVEN SISTERS ROAD,		Cash/On account	CASH
		Receipt number	47528
		Received by	AFI
		Post town LONDON Post code N4 3NX	
Telephone number (if any)			

Description of premises (please read guidance note 1)

On Seven sisters Road, located and facing to the west on all set side. It was a restaurant called APPIS ABABA serving traditional food,

Part 2

AA

Full name of proposed designated premises supervisor *YEMANE THERETHEGI*

~~MR. MOE YOUNES, Miss Rachael Ingram~~

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

90354 14502

Full name of existing designated premises supervisor (if any)

MR BINYAM SHIBIRU *AA*

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

If you have not enclosed the premises licence, or relevant part of it, please give reasons why not

Reasons why I have failed to enclose the premises licence or relevant part of it

LICENCE ENCLOSED. (ORIGINAL)

Please tick yes

• I have made or enclosed payment of the fee

• I will give a copy of this application to the chief officer of police

• I have enclosed the consent form completed by the proposed premises supervisor

• I have enclosed the premises licence, or relevant part of it or explanation


• I will give a copy of this form to the existing premises supervisor, if any

• I understand that if I do not comply with the above requirements my application will be rejected

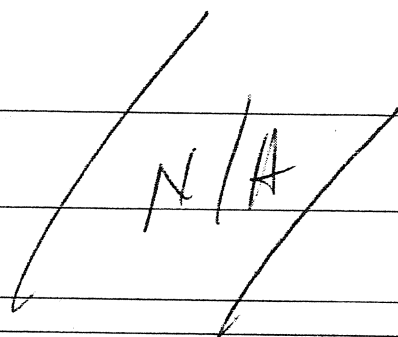
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

PART 3 – SIGNATURES (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature 
Date 26-08-2014
Capacity OWNER (MANAGER)

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent
(please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 
Date N/A
Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

SAME AS GIVEN BUSINESS ADDRESS.

Post town

Post Code

Telephone number (if any)

079 08 030 691

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

-

PART A

Consent of individual to being specified as premises supervisor

I YEMANE THERETHEGI
[full name of prospective premises supervisor]

Of

ADDIS ABABA
192 SEVEN SISTERS ROAD
LONDON N4 3NX

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

DPS VARIATION
[type of application]

by YEMANE THERETHEGI
[name of applicant]

Relating to a premises licence

1117760/3156
[number of existing licence, if any]

for

ADDIS ABABA
192 SEVEN SISTERS ROAD
LONDON N4 3NX

[name and address of premises to which the application relates]



ISLINGTON

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

- Please tick yes**
- a) an individual or individuals* please complete section (A)
 - b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
 - c) a recognised club please complete section (B)
 - d) a charity please complete section (B)
 - e) the proprietor of an educational establishment please complete section (B)
 - f) a health service body please complete section (B)
- AN INDIVIDUAL WHO IS REGISTERED UNDER PART 2 OF THE CARE STANDARDS ACT 2000 (C14) IN RESPECT OF AN INDEPENDENT HOSPITAL** please complete section (B)
- g) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

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



APPLICATION TO TRANSFER PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We

ABDELWAHID IDRIS HAMED (Insert name of applicant)

Apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

[Empty box for premises licence number]

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description
 192 SEVEN SISTER ROAD
 LONDON

POST TOWN LONDON POST CODE N4 3NX

Telephone number at premises (if any)
 07908030691

Please give a brief description of the premises
 IT IS a restaurant located at seven sister road name addis ababa. (serving traditional dishes)

Name of current premises licence holder
 MR. BINYAM SHIBIRU

Receipt No 47528 £46.00 cash

ISLINGTON COUNCIL LICENSING	
Date 11/9/14	Fee Paid 23.00
Transfer Number	CASH
Receipt Number	47528
Received By	AF

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

IDRIS HAMID

First names

ABDUL WAHID

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

192 SEVEN SISTERS ROAD,

POST TOWN

LONDON

POST CODE

N4 3NX

Daytime contact telephone number

079 0803 08691

E-mail address (optional)

—

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

N/A.

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

N/A.

POST TOWN

POST CODE

Daytime contact telephone number

E-mail address (optional)

—

(B). OTHER APPLICANTS

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

Name
Address N/A.
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3

Please tick yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
26	08	2014

Please tick yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

ENCLOSED

- LICENCE (PREMISES)
- PREMISES LICENCE SUMMARY

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

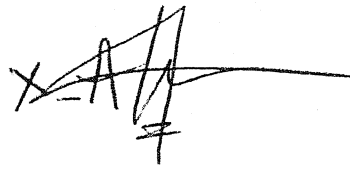
If you have not enclosed premises licence referred to above please give the reasons why not.

- ENCLOSED.

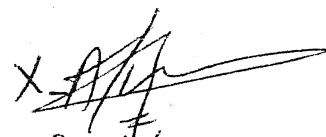
- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 4 – Signatures (please read guidance note 2)



Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 26-08-14

CAPACITY OWNER/MANAGER

For joint applicants signature of 2nd applicant, 2nd applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature N/A.

Date

CAPACITY

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
ABDIRWAHID IDRIS HAMID. 192 SPYBURN STERS R	
Post town	Post Code
LONDON	N4 3NX
Telephone number (if any) 0790 803 0691	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	
—	



Consent of premises licence holder to transfer

I/we MR BINYAM SHIBRU
[full name of premises licence holder(s)]

the premises licence holder of premises licence number 117760/3156
[insert premises licence number]

relating to

ADDIS ABABA, 192 SEVEN SISTERS RD, LONDON N4 3J
[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

[insert premises licence number]

to

ABDULWAHID IDRIS HAMID.
[full name of transferee].

signed name

(please print)

BINYAM SHIBIRU

dated

28/8/2014

ISLINGTON COUNCIL LICENSING SUB-COMMITTEE
DECISION FORM

Licensing Sub-Committee D – 23 October 2014

Addis Ababa, 192 Seven Sisters Rd, N4 3NX

DECISION

The Sub-Committee have decided to refuse the application for a premises licence transfer and variation of the designated premises supervisor in respect of **Addis Ababa, 192 Seven Sisters Rd, N4 3NX**

The determination of the sub-committee (including the reasons for the decision) will be provided to you in writing within 5 working days.

Appendix 3

REASONS FOR DECISION

The Sub-Committee heard an application from the applicant for an adjournment of the meeting on the basis that the applicant's legal representative could not be present. When asked, the applicant confirmed that his legal representative was away. The Sub-Committee noted that there was no information from the legal representative and no explanation as to why someone else could not attend in their place. The application for an adjournment was refused and the hearing went ahead.

The Sub-Committee noted the police objection at pages 87 and 88 of the agenda. The Sub-Committee heard evidence that the police were concerned that the applicant appeared to know nothing about the licensing act, the councils licensing policy, or, indeed, the terms of the licence. The Sub-Committee noted the police concerns that the applicant had no ability to run a safe, crime free venue.

The Sub-Committee heard evidence from the noise team, who spoke as a witness for the police, that they had written to the applicant regarding an undischarged noise condition and had received no response. The noise team confirmed that a second letter was sent with no response. The noise team gave details of a visit to the premises when pushing and shoving between young men of North African origin was witnessed outside the premises and loud live music was witnessed inside the premises and that it was only after this visit that any contact was made by the applicant. It was noted that there had been no further contact after this.

The Sub-Committee heard evidence from the applicant that he believed that after he took over the lease for the premises and changed the Council Tax and Business Rates into his name, the licence would automatically change as well. The applicant stated that he had been doing business in the area for a long time and was familiar with the area. The applicant stated that he made a mistake which he regretted and that a person that he had trusted had left the premises open. Upon questioning by the Sub-Committee the applicant confirmed that the person he had trusted with the keys to the premises was a cleaner and that this person had now been dismissed. The Sub-Committee noted that the CCTV inside the premises was not working and that it was therefore not possible to verify the applicant's version of events. The Sub-Committee noted that the person named in the application as the new designated premises supervisor was not present at the meeting and so could not be questioned. The Sub-Committee noted that the applicant was asked if he could state the licensing objectives and he answered 'keeping me alive'.

The Sub-Committee shared the police concerns that the applicant had not demonstrated any ability to run a safe, crime free venue. The Sub-Committee was concerned with the applicant's lack of knowledge or concern regarding licensing law and the licensing objectives. The Sub-Committee was concerned that the applicant was unable to manage the premises to the required standards and did not seem aware of the responsibilities that come with an alcohol licence. The Sub-Committee noted the breaches of the existing conditions and the trading out of hours. The Sub-Committee formed the view that granting the applications would not promote the licensing objectives.

The Sub-Committee took into account licensing policies 9 and 10 in relation to the standards of management.

Note of the Committee

Exhibit No: NF005

Signed: 

Date: 15 July 2015

**Addis Ababa, 192 Seven Sisters Road, N4 3NX - Transfer of
designated premises supervisor**

- Meeting of Licensing Sub Committee D, Thursday, 23rd October, 2014 6.30 pm (Item 21.)

Minutes:

The applicant requested an adjournment as his legal representative could not be present. The police asked that the matter proceed as the transfer was deemed granted until a decision by the Sub-Committee had been made. The Sub-Committee agreed to proceed with the hearing.

The police outlined their objections to the application as detailed in the agenda and summarised events that had occurred on the 16 August 2014. The noise officer was called as a witness for the police. She reported that she had written to the licensee regarding an undischarged noise condition requiring an acoustic survey. Following a lack of response she sent a second letter and then visited with the licensing officer. At the visit, noise outside the premises by customers was witnessed and loud music was witnessed inside. The noise officer left a card and was contacted once but had heard nothing further. The police reported that the applicant had not met the high standards of management required.

The Sub-Committee noted that the applicant had taken over in April. No prior knowledge of the applicant was known. The noise team was still waiting to be contacted by the applicant.

The applicant reported that he had obtained the lease in April and had opened the premises on the 12 July. He believed if he changed his name on the council tax and business rate document, the licence would also change. He had left a person he trusted in charge on the night in question. His job had now been terminated. The CCTV was not working.

In response to questions he reported that he managed other venues. The designated premises supervisor was not present at the meeting as he was working. The person left in charge on the 16 August was not the temporary manager, but the cleaner. The applicant reported that the cleaner had re-opened the business after he had left. The police informed the Sub-Committee that they were unable to confirm this explanation of events as the CCTV was not working. When asked by the Sub-Committee, he reported that he could run a safe, crime free venue. He stated the music was not very loud and he had tried to do everything requested. When asked about his knowledge of the licensing objectives he stated they were 'keeping me alive'.

The police reported that the applicant lacked knowledge about the licensing laws and the objectives. This meeting had not changed his opinion. The applicant was not suitable and he had not demonstrated anything to allay his fears.

The applicant stated he would follow the regulations. If granted he would be careful and he had enough experience not to spoil his business. If it happened again he would hand the keys over himself.

RESOLVED

That the application for a premises licence transfer and variation of the designated premises supervisor in respect of Addis Ababa, 192 Seven Sisters Rd, N4 3NX be refused.

REASONS FOR DECISION

The Sub-Committee heard an application from the applicant for an adjournment of the meeting on the basis that the applicant's legal representative could not be present. When asked, the applicant confirmed that his legal representative was away. The Sub-Committee noted that there was no information from the legal representative and no explanation as to why someone else could not attend in their place. The application for an adjournment was refused and the hearing went ahead.

The Sub-Committee noted the police objection at pages 87 and 88 of the agenda. The Sub-Committee heard evidence that the police were concerned that the applicant appeared to know nothing about the licensing act, the councils licensing policy, or, indeed, the terms of the licence. The Sub-Committee noted the police concerns that the applicant had no ability to run a safe, crime free venue.

The Sub-Committee heard evidence from the noise team, who spoke as a witness for the police, that they had written to the applicant regarding an undischarged noise condition and had received no response. The noise team confirmed that a second letter was sent with no response. The noise team gave details of a visit to the premises when pushing and shoving between young men of North African origin was witnessed outside the premises and loud live music was witnessed inside the premises and that it was only after this visit that any contact was made by the applicant. It was noted that there had been no further contact after this.

The Sub-Committee heard evidence from the applicant that he believed that after he took over the lease for the premises and changed the Council Tax and Business Rates into his name, the

licence would automatically change as well. The applicant stated that he had been doing business in the area for a long time and was familiar with the area. The applicant stated that he made a mistake which he regretted and that a person that he had trusted had left the premises open. Upon questioning by the Sub-Committee the applicant confirmed that the person he had trusted with the keys to the premises was a cleaner and that this person had now been dismissed. The Sub-Committee noted that the CCTV inside the premises was not working and that it was therefore not possible to verify the applicant's version of events. The Sub-Committee noted that the person named in the application as the new designated premises supervisor was not present at the meeting and so could not be questioned. The Sub-Committee noted that the applicant was asked if he could state the licensing objectives and he answered 'keeping me alive'.

The Sub-Committee shared the police concerns that the applicant had not demonstrated any ability to run a safe, crime free venue. The Sub-Committee was concerned with the applicant's lack of knowledge or concern regarding licensing law and the licensing objectives. The Sub-Committee was concerned that the applicant was unable to manage the premises to the required standards and did not seem aware of the responsibilities that come with an alcohol licence. The Sub-Committee noted the breaches of the existing conditions and the trading out of hours. The Sub-Committee formed the view that granting the applications would not promote the licensing objectives.

The Sub-Committee took into account licensing policies 9 and 10 in relation to the standards of management.

Conditions suggested by Metropolitan Police Service:

1. If a customer is found to be in possession of what you or your staff consider to be personal use drugs. The drugs are confiscated and sealed in a police evidence bag, timed, dated and signed by the staff member seizing. Request details of the person you are seizing the drugs from, and for your security and evidential purposes make a CCTV capture of the seizure. The customer is ejected/banned from the venue. The seized drugs are then placed in the safe. An entry is placed in the 'drug seizure log', which is also kept in the safe. This entry will detail, the time, date, person seizing and the number of the police evidence bag.

B. If a customer is found to be in possession of what you or your staff believe to be a quantity of drugs for more than just personal possession/suspected of dealing. The customer is detained and police are called. The drugs are confiscated and sealed in a police evidence bag. For your security and evidential purposes make a CCTV capture of the seizure. Make available any CCTV footage of the incident to police, as per licence conditions

It is the responsibility of the venue to inform the police when they have drugs to be collected. They will need to contact officers from the local neighbourhood team in order for the drugs to be collected.

Officers collecting the drugs will sign the 'drug seizure log' to state they have been removed from the safe at the venue.

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. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

Annex 2 Condition 4 be removed and replaced with;

4. At least 1 SIA licensed door supervisor shall be on duty at the entrance of the premises at all times whilst it is open for business after 2100 hours on any day that the venue is open, until 30 minutes after the venue has closed.

5. Door Supervisors to display their SIA licence by means of a luminous arm band.

6. Door supervisors to have no prior association with the venue or management of the venue

7. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

8. Door Supervisors Register – A register shall be maintained recording all SIA door supervisors employed at the premises. This shall include their name, badge number, the agency they work for (if any) and the time they start and finish work.

9. Management shall take a photocopy of all door staff SIA badges and secure them in a personnel folder and place this in the safe.

10. All persons visiting or re-entering the premises after 2100 hours will be subject to a search by means of an electronic hand held wand. If the search wand is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search. There will be at least 2 fully functional wands in use at the premises.

11. All drinking vessels used in the venue shall be polycarbonate. All alcohol in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served.

12. Customers shall enter or leave the premises by the main front door to the premises, except in the event of an emergency.

13. Notices shall be displayed reminding patrons to use the toilets before exiting the premises.

14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Annex 2 Condition 12 be removed and replaced with;

15. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Annex 3 Condition 13 be removed and replaced with;

16. There shall be no unaccompanied children under 18 years on the premises at any time and no children after 23.00.

17. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

18. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take any drinks in any vessel with them.

19. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

20. In the event that an assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

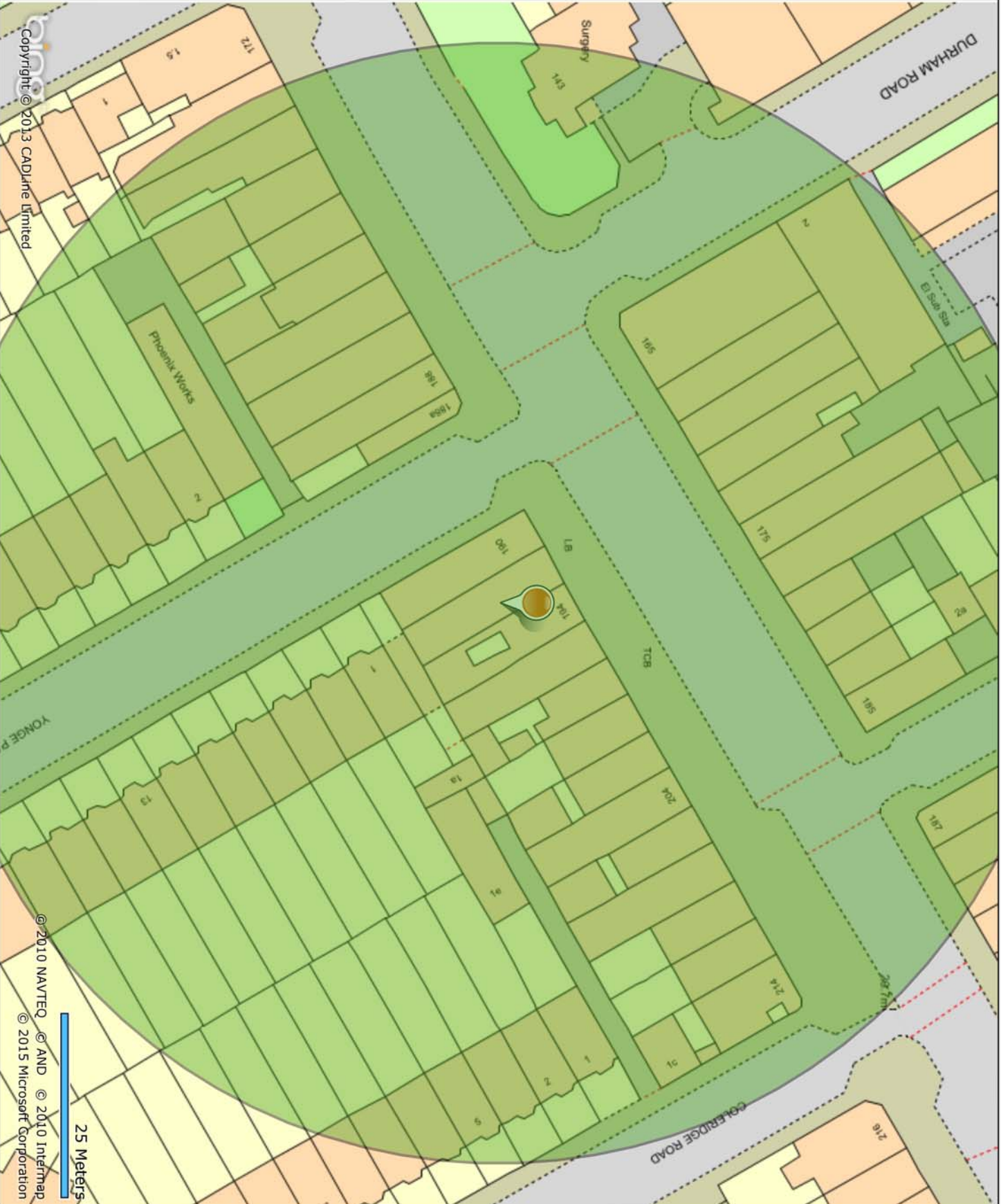
Annex 2 Condition 11 be removed and replaced with;

21. 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. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.

Conditions suggested by the Licensing Authority

22. The sale of alcohol shall be ancillary to a table meal.

23. No vertical drinking shall be permitted.



**Title : Adidas Ababa,
192 Seven Sisters
Road**

Islington Borough
Boundary

Printed by :
RO RO

Printed at :
18-08-2015



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