



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	10 September 2014		Tollington

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE VARIATION APPLICATION
7 DAYS FOOD AND WINE, 93A STROUD GREEN ROAD, LONDON N4 3PX**

1. Synopsis

1.1 This is an application to vary the premise licence under the Licensing Act 2003.

1.2 The variation application is to:

- Extend the supply of alcohol for consumption off the premises from 08:00 to 02:00 on Monday to Sunday;
- Reduce the opening hours of the premises to 08:00 to 02:00 Monday to Sunday.

2. Relevant Representations

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

Public Health	Yes
Safeguarding Children	No
London Fire Brigade	No
Local residents	No
Other bodies	No: 3 ward councillors

3. Background

3.1 Papers are attached as follows:-

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

3.2 The premises is currently licensed for the sale of alcohol for consumption off the premises from 08:00 to 23:00 on Monday to Sunday and opening hours from 07:00 to 02:00 on Monday to Sunday.

3.3 The previous licensing history is:

- a) The original premises licence was granted on 24 November 2005 as a conversion application.
- b) On 15 December 2006 a variation application was granted for the premises to sell alcohol Monday to Sunday for 24 hours.
- c) On 12 January 2007 the licence was transferred.
- d) A Review application by Trading Standards was submitted on 2 August 2011 and the licence was revoked by Licensing Sub Committee on 3 November 2011.
- e) At the same Licensing Sub Committee on 3 November 2011, the Licensing Sub Committee granted a new licence to for the sale of alcohol for consumption off the premises Monday to Sunday 08:00 to 23:00.
- f) On 12 December 2011 the licence was transferred.
- h) On 13 February 2013 Trading Standard as a Responsible Authority reviewed the premises licence following a seizure of counterfeit and non-duty paid tobacco, sale of single cigarettes and the seizure of illicit spirits and wine.
- i) On 18 April 2013 the Licensing Sub Committee revoked the premises licence. The decision to revoke was appealed by the licensee but the appeal was withdrawn on 3 September 2013 the day before the hearing was due to start. The premises remained unlicensed for a year and a quarter.
- j) An application for a new premises licence was refused by Licensing Sub Committee on 8 April 2014.
- k) On 22 July 2015 the Licensing Sub Committee granted a new premises licence to the current licensee Yavuz Mart Ltd.

- l) On 24 June 2015 a Late Temporary Events Notice (TENs) was submitted by Mr Yavuz, the DPS and sole director of Yavuz Mart Ltd (licensee) to extend the hours from 08:00 on 30 June 2015 until 02:30 on 5 July 2015 to coincide with the concerts in Finsbury Park. The Police objected to the Late TENs so a Counter Notice was issued. However, Licensing Officers were able to purchase alcohol on 3 July 2015 at 23:43 and on 4 July 2015 at 23:23.
- m) On 29 June 2015 a variation application to extend the permitted sale of alcohol was submitted.

4. Planning Implications

4.1 The lawful use of this property appears to be retail (A1).

5 Recommendations

5.1 To determine the application to vary the premises licence under Section 34 of the Licensing Act 2003.

5.2 If the Committee grants the application it should be subject to:

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 3)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives(see appendix 3)

5.3 The Committee must have regard to the application and any relevant representations. The Committee must take such steps as appropriate for the promotion of the four licensing objectives.

5.4 The steps stated in Sections 35(4) of the Act are as follows:

- i. to modify the conditions of the licence;
- ii. to reject the whole or part of the application.

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

27.8.15
Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

1P2/464408 2/10010
£190-00

Islington
Application to vary a premises licence
Licensing Act 2003

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

ISLINGTON

* required information

Section 1 of 17

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

As the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

OK
Lant
29 June 15

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

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

Agent Business

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

* Registration number

* Business name If your business is registered, use its registered name.

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

* Legal status

* Your position in the business

Home country The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

* Building number or name	53
* Street	STOKE NEWINGTON HIGH STREET
District	
* City or town	HACKNEY
County or administrative area	
* Postcode	N16 8EL
* Country	United Kingdom

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number	LN/14956-220714
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Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	98A
Street	STROUT GREEN ROAD
District	
City or town	LONDON
County or administrative area	
Postcode	N4 3PX
Country	United Kingdom

Premises Contact Details

Telephone number	02076193962
Non-domestic rateable value of premises (£)	15,250

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VARIATION

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend



Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

PROPOSING TO EXTEND THE HOURS, TO CARRY OUT TO SALE BY RETAIL OF ALCOHOL:

CURRENTLY THE SALE BY RETAIL OF ALCOHOL:
MONDAY TO SUNDAY FROM 08:00 TILL 23:00

PROPOSED SALE BY RETAIL OF ALCOHOL:
MONDAY TO SUNDAY FROM 08:00 TILL 02:00 FOLLOWING DAY



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PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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SUPPLY OF ALCOHOL

Continued from previous page...

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations.

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

NONE

Continued from previous page...

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

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

NONE

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ADULT ENTERTAINMENT

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

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

FRIDAY

Start 08:00

End 02:00

Start

End

SATURDAY

Start 08:00

End 02:00

Start

End

SUNDAY

Start 08:00

End 02:00

Start

End

State any seasonal variations.

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

NONE

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

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

NONE

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

NONE

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

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LICENSING OBJECTIVES

Continued from previous page...

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

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

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

Please see below

b) The prevention of crime and disorder

Existing conditions seen as sufficient.

c) Public safety

Safety checks shall be carried out before the admission of the public. These shall correspond with the risk assessment and the conditions of the licence.

A fire risk assessment and emergency plan will be prepared and regularly reviewed. Staff will be given appropriate fire safety training.

d) The prevention of public nuisance

Notices will be prominently displayed by the exit asking customers to respect nearby residents and to leave quietly.

e) The protection of children from harm

All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.

An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.

The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.

Continued from previous page...

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PAYMENT DETAILS

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

Variation Fees are determined by the non domestic rateable value of the premises.

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

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

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

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy



PREMISES LICENCE LICENSING ACT 2003

Premises licence number	LN/14956-220714		
Postal address of premises, or if none, ordnance survey map reference or description			
SEVEN DAYS FOOD AND WINE 93A STROUD GREEN ROAD			
Post town	London	Post code	N4 3PX
Telephone number	020-7619-3962		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground Floor
<ul style="list-style-type: none">The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities																												
<ul style="list-style-type: none">The sale by retail of alcohol: <table><tr><td>Monday</td><td>08:00</td><td>to</td><td>23:00</td></tr><tr><td>Tuesday</td><td>08:00</td><td>to</td><td>23:00</td></tr><tr><td>Wednesday</td><td>08:00</td><td>to</td><td>23:00</td></tr><tr><td>Thursday</td><td>08:00</td><td>to</td><td>23:00</td></tr><tr><td>Friday</td><td>08:00</td><td>to</td><td>23:00</td></tr><tr><td>Saturday</td><td>08:00</td><td>to</td><td>23:00</td></tr><tr><td>Sunday</td><td>08:00</td><td>to</td><td>23:00</td></tr></table>	Monday	08:00	to	23:00	Tuesday	08:00	to	23:00	Wednesday	08:00	to	23:00	Thursday	08:00	to	23:00	Friday	08:00	to	23:00	Saturday	08:00	to	23:00	Sunday	08:00	to	23:00
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Thursday	08:00	to	23:00																									
Friday	08:00	to	23:00																									
Saturday	08:00	to	23:00																									
Sunday	08:00	to	23:00																									

The opening hours of the premises:				
Monday	07:00	to	02:00	the following day
Tuesday	07:00	to	02:00	the following day
Wednesday	07:00	to	02:00	the following day
Thursday	07:00	to	02:00	the following day
Friday	07:00	to	02:00	the following day
Saturday	07:00	to	02:00	the following day
Sunday	07:00	to	02:00	the following day

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

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence
Yavuz Mart Ltd 93a Stroud Green Road London N4 3PX

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

08930667

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

Tacim Yavuz

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

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


Service Manager (Commercial)

9/10/14
Date of Issue

Licence

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.

3. No high strength beer, lager or cider of 5.5% abv or above shall be sold.
4. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.
5. There shall be two members of staff present on the premises after 22:00.
6. Only the owner and manager shall purchase age restricted goods from the cash and carry.
7. Staff shall be trained to check the legitimacy of any alcohol purchased using UV lights and checking for anything unusual or suspicious.
8. Public safety risk assessments shall be carried out every 12 months and records of the risk assessments shall be kept.
9. Emergency lighting, smoke detectors and fire extinguishers shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.
10. A fully functioning first aid kit shall be kept easily available at the premises.
11. Fire exits signage shall be visible and be placed in at all fire exits.
12. The telephone number for the premises shall be displayed in a prominent position outside the premises so it can be read by passers-by.
13. Customers shall be asked to leave the premises in a good manner and not cause a disturbance.
14. Refuse collection shall take place on weekdays between the hours of 09:00 and 18:00 only.
1. The licensee and staff should note any refusals in a refusals log. The refusals log shall be kept at the premises for no less than 12 months.
2. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
3. No spirits shall be purchased in a resealed box, without appropriate checks being made first.
4. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol or tobacco.
5. Only alcoholic drinks which are detailed on invoices will be purchased or accepted as part of a 'free' offer. Invoices (or copies) for all alcoholic goods on the premises will be made available to officers from the council, police or HMRC upon request.
6. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
7. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.

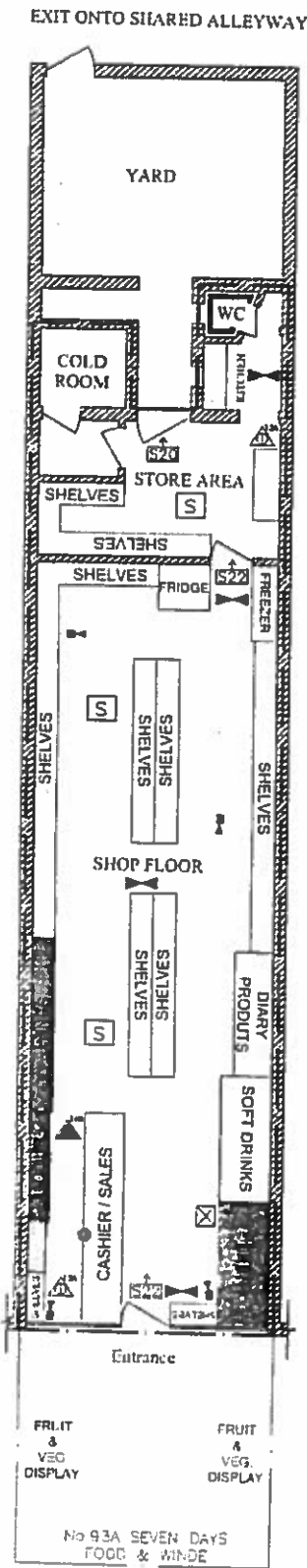
8. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards as soon as possible.
9. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
10. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
11. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
12. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.
- 13.

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

Annex 4 – Plans

Reference Number: WK/201444787

STROUD GREEN ROAD



Shop Name: SEVEN DAYS FOOD & WINE	
Address Details: 93A STROUD GREEN ROAD LONDON N4 3PX	
Solicitor Name: GULSEN & CO SOLICITORS	
Address Details: 89 SILVER STREET, EDMONTON, LONDON, N18 1RP	
Name: Y. KALAYCI	Date: OCT 2013
Scale: 1:100	Plot No.:

A3

Ref: 201444 287

- Surveillance Monitor
- Safety Escape Lighting System
- Camera
- Water Fire Extinguisher
- Carbon Dioxide Fire Extinguisher
- Location of Panic Button
- Ambit of Licensed premises

- Liquor Sales
- Tobacco Sales
- WC location
- Fire escape keep clear sign
- Fire exit sign with directional arrow
- Smoke Detector

100mm NATURAL SCALE

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 responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
5. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

6. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml; and
 - b) customers are made aware of the availability of these measures.
7. The licensee, DPS or personal licence holder making or authorizing the supply of alcohol, shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

The permitted price is the price found by applying the formula:

$$P=D+(D \times V)$$

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol.

Annex 2 - Conditions consistent with the Operating Schedule

1. A working alarm system shall be installed and maintained in good working order. The alarm shall monitor all exit doors.
2. 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

Fitzsimons, Aiden

From: Williamson, Flora
Sent: 14 July 2015 19:57
To: Licensing
Cc: Kaseki, Jean; Watts, Richard; Tomashevski, Katie
Subject: RE: Premises Licence Variation: 7 Days Food & Wine, 93a Stroud Green Road

Hi,

Please accept this as an objection to the extension of licensing hours at 7 Days Food and Wine, 93a Stroud Green Road, from all three of the Tollington ward councillors (myself, Cllr Richard Watts and Cllr Jean Roger Kaseki).

We would like to object because we don't believe this extension of hours will meet the licensing objectives of preventing public nuisance.

In this area there is already an issue with street drinking. In particular the block of flats which this shop is below regularly has street drinkers sitting on the stairs at the entrance to the flats. This means when residents arrive or leave their home they often have to step over people who are drinking at the entrance of their flat. We believe that having alcohol on sale late at night so near is likely to make this situation worst.

In addition when this same premises previously had a license until 2am residents in the block of flat above the shop raised issues about noise from people hanging around outside the shop.

Also the hours being applied for full outside of the councils core hours policy.

We would therefore recommend that the committee refuses the extension of hours.

Best,

Flora

Cllr Flora Williamson

Labour Member for Tollington Ward and Chair of Licensing,
London Borough of Islington

From: Fitzsimons, Aiden
Sent: 29 June 2015 16:51
To: LicensingPolice; 'islingtongroup@london-fire.gov.uk'; Issues, Noise; Standards, Trading; Control, Building; Sumpter, Colin; Neil, Rebecca; Eden, Laura; Gibbons, Janice; CSPU Team
Cc: Lane, Terrie; Brothers, Anne; Montanez-Dodson, Monty; Tomashevski, Katie; Kaseki, Jean; Watts, Richard; Williamson, Flora
Subject: Premises Licence Variation: 7 Days Food & Wine, 93a Stroud Green Road

Dear Sir/Madam,

We have received the following attached application for a **Premises Licence (Variation):**

Licence holder: Tacim Yavuz, 93a Stroud Green Road, London, N4 3PX



Please reply to: Doug Love

MEMO TO:

**LICENSING TEAM
222 UPPER STREET**

Our Ref:
Your Ref:
Date: 13/07/15

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Tacim Yavuz, 7 Days F&W, 93a Stroud Green Road, N4 3PX

I have had the opportunity to examine the application to vary the premises licence made by the above on behalf of Trading Standards and wish to make the following representation.

1. When this licence was initially granted I was supportive of the application as I had met with Tacim and his brother, Ayaz, who I understood would be involved in the management of the business, before they made the application and they impressed me with their apparent desire to take advice and be responsible licensees.
2. Further, I do not normally make a representation on licensed hours, as I do not regard comment on this to fall within Trading Standards' remit.
3. However, on this occasion I wish to object to the application and ask the Licensing Sub-Committee to reject it. My reason is that I am not satisfied that the business is being run with the high management standards required by Licensing Policy 10.
4. On 2nd September 2014, I took an 18 year old volunteer to the business to attempt to buy alcohol without giving proof of age (a 'Challenge 25 test purchase'). The volunteer was sold the alcohol with no proof of age being demanded by the licensee's mother who was behind the counter – not an offence, but a breach of the requirement to use Challenge 25. A subsequent underage test purchase and a second Challenge 25 test were both met with refusals to sell and the licensee attended the training for off licensees put on by Trading Standards in November 2014, so this aspect does not cause me undue concern.
5. However, what does concern me is that I am aware of the same breaches of licence conditions on three separate occasions since the licence has been granted.
6. After the test purchase in September 2014, I noted that Skol Super (9% abv) was for sale in the shop in breach of the 'high strength' condition put forward by the licensee at the application stage (Annex 2, condition 3); and that the old and inadequate, cctv system was still in use six weeks after the licence had been granted (in breach of Annex 2, condition 2). I e-mailed the business reminding them that it was illegal to sell alcohol while they were in breach of licence conditions on the same day, asking that they contact me to tell me what corrective action they were taking. I sent a reminder two weeks later, as I had not heard. This did not elicit a response, although I did subsequently speak with Ayaz to ensure he was aware of my concerns.
7. At the recent Challenge 25 test purchase, on Thursday 9th July, I noticed two high strength beers on the shelves – Carlsberg Special Brew (9%) and Oranjeboom 8.5 (8.5%) – that breached the high strength condition. I informed the licensee's father that this could not

be sold and said that it should be taken off the shelves. I was also informed that the cctv was (temporarily) not working, although the business was still apparently selling alcohol. I have since been made aware that cctv footage had been required to be produced and these high strength beers were identified as breaching the condition by Licensing Officers on the previous weekend. The Licensing Officers were in the shop as the business had sold alcohol later than their licence allowed.

8. I am disappointed in the management at the business. There are few easier conditions to comply with than a 'high-strength' condition and the fact that they have consistently breached it indicates to me that they have little regard for complying with the law. I request that the application is rejected.

I believe these representations are specific and proportionate to the known trading characteristics of this retail sector and are consistent with the Islington Council Statement of Licensing Policies.

Doug Love
Principal Consumer Services Officer

Your Premises License variation
Our Licensing/NI
Date: 27/07/2015



7 Days Food & Wine
93A STROUD GREEN ROAD N4 3XP

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

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

27th July 2015

Dear Sir

Re: 7 Days Food & Wine: 93A STROUD GREEN ROAD N4 3XP

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 the Licensing Objectives.

Although this venue is not within the Finsbury Park/Holloway Road Cumulative Impact Area, it is so close that it cannot fail but to have an impact. Within a 250m radius there are 24 licensed premises, five of which are Off-Licensed premises.

The hours applied for fall outside the recommended core hours within the Council Licensing Policy 2013-2017.

We also have concerns re the standards of Management at the premise, we are aware that on 3rd & 4th July 2015 Council Licensing Officers were able to allegedly purchase alcoholic drinks after the licensable hours at the premises. This matter is still under investigation. We are also aware that a formal request for CCTV footage of the two purchases was made on 5th July 2015 and yet this footage was not supplied. We understand that Mr YAVUZ informed licensing officers that the CCTV had not been working for two weeks prior to the alleged purchases. We were never informed by Mr YAVUZ that the CCTV was not working and the condition does state that the CCTV shall be installed, operated and maintained in agreement with the Police. We would not have agreed to the premises operating under the license if we had known that the CCTV was not going to be working for two weeks. This is totally acceptable. The CCTV is not just for crime prevention it is also to assist the licensee to prove or disprove any alleged incidents or sales within the premises and on these occasions the footage could have greatly assisted with proving or disproving the alleged after hour sales.

These incidents are not indicative of the standards of Management we require at the licensed premises within this Borough. To sell after hours on one night could be considered an error, but to do it two nights running shows a pure disregard for the licensing laws and Authorities and to add to this the fact that the CCTV was not working correctly only heightens the poor standards of Management.

In light of this I would make the recommendation that the License variation application is refused.

Should you wish to discuss the matter further please contact me on Mobile 07799133204 or via email, Licensingpolice@islington.gov.uk

Yours sincerely

Steven Harrington Pc 425NI
Peter Conisbee Pc 575NI
Nick Pamboris Pc 458NI
Islington Police Licensing Team



ISLINGTON

Environment and Regeneration

Public Protection Division
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Public Protection, Pollution Team

Your Name	Fanos Santis
Job Title	Senior Environmental Health Officer
Postal and email address	3 rd Floor, 222 Upper Street Islington, London N1 1XR Fanos.santis@ilsington.gov.uk
Contact telephone number	0207527 3963


Name of the premises you are making a representation about	7 Days Food & Wine,
Address of the premises you are making a representation about	93A Stroud Green Road N4 3PX

*Please detail the evidence supporting your representation. Or the reason for your representation.
Please use separate sheets if necessary*

To prevent public nuisance

This representation refers to a premises license application for 7 Days Food and Wine, 93A Stroud Green Road N4 3PX. The applicant has applied for the supply of alcohol from 08.00 to 02.00, Mondays to Sundays. With regards to details supplied to prevent public nuisance concerning noise, the applicant has stated that notices will be displayed asking customers to leave quietly. In my opinion the details provided are inadequate and will not address the licensing objective of prevention of public nuisance as there are no details regarding deliveries and waste collections. The Pollution Team therefore objects to the licence application, subject to conditions set below

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary.	1 Deliveries and refuse collections from the premises shall only be carried out between 07.00 hours and 20.00 hours Mondays to Saturdays, with no waste collections and deliveries on Sundays or Bank Holidays.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Signed: 

Date: 13/7/15

Please send this form along with any additional sheets to the applicant. A copy should be sent to:
Islington Council, Licensing Team, 3rd Floor, Upper Street London N1 1XR or email to
licensing@islington.gov.uk

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

Application: 7 Days Food and Wine, 93a Stroud Green Road

I am submitting a representation on behalf of the Licensing Authority for a variation of the premises licence to extend off sales of alcohol from 11pm to 2am 7days per week.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

Licensing Policy Considerations

Licensing Policies 1 & 2

Location, cumulative impact and saturation

Licensing Policy 4

Shops selling alcohol

Licensing Policies 9 & 10

Operating schedule and standards of management

Issues of Concern

1. The premises are locate just outside the boundary of a cumulative impact area, so there is no rebuttable presumption of refusal, however there are 4 off licences within 250 meters of the premises:

Address	Address	Alcohol sales hours
Stroud Green Convenienc	153 Stroud Green Road	24 hour
K Stores	97 Stroud Green Road	8am to 11pm Mon to Sat 10am to 10.30pm Sun
News Centre	168 Tollington Park	8am to 11pm Mon to Sat 10am to 10.30pm Sun
Tesco	109-115 Stroud Green Road	6am to 12pm Mon to Fri 6am to 11pm Sat 10am to 10.30 pm Sun

2. A considerable amount of resources are being deployed to deal with alcohol related crime and disorder and another late night premises selling alcohol in this area could undermine the work of the Police, Local Authority and Late Night Levy Team.
3. The operating schedule provides no new measures to mitigate against the impact of late night alcohol sales other than requiring notices to be displayed requesting customers to leave quietly. The current premises have a condition requiring staff to ask customers to leave quietly.
4. There are concerns about the management of the premises and the compliance with the current conditions attached to the premises licence. Licensing and Trading

Officers have observed that high strength beer, lager and cider are displayed for sale at the premises on three occasions contrary to licence conditions.

5. Officers were informed by the licensee that the CCTV was not working at the premises for two weeks contrary to a condition on the licence requiring a working CCTV condition.
6. Officers have observed several fridges containing beer, lager and cider and an aisle of wine on display that do not have locked grills, screens or cabinet doors to prevent access by customers to alcohol.
7. When Licensing Officers visited the premises on 10 July they noted that there were no notices displayed regarding Challenge 25, a contact telephone number nor notices asking customers to leave quietly as required under the licence
8. The Licensing authority expects high standards of management for all of their licences premises. Currently this premises are not being run to that high standard as it is failing to meet minimum standards of compliance with the premises licence conditions.

Recommendation

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

24 July 2015



Licensing Act 2003

Representation from Camden and Islington Public Health on behalf of health bodies providing services in Islington concerning 7 days food and wine 93 Stroud Green Road N4 3PQ

Ref:

I am submitting a representation against the application to vary a licence to permit the sale of alcohol between the hours of 08:00 and 02:00 at the above premises. This representation is on behalf of Islington Council's Public Health department, which as a health body is a responsible authority.

The grounds for the representation are:

- Public safety
- Crime and disorder

The relevant policy in Islington's Licensing Policy:

- Policy 2: Cumulative impact and saturation
- Policy 8: Framework Hours

The impact of alcohol in Islington

Islington suffers from some of the **greatest levels of alcohol-related health harm in London**. The residents of the borough have the **highest rate of admissions for alcohol-related conditions in London**, significantly higher than both the London and the UK-wide average. Alcohol also contributes to the **early death of Islington residents** with significantly higher levels of mortality from chronic liver disease than the London average and an average of 12 months of life lost due to alcohol in men and 5 months in women.

Alcohol also significantly **harms children** in the borough, Islington has the fifth highest rate of alcohol-specific admissions in the under 18s in London and had 63 alcohol-related ambulance call-outs in 2012/13.

Alcohol significantly **contributes to crime** in the borough. Islington has the fourth highest rate of alcohol-related crime in London with alcohol resulting in more than 1,500 violent crimes and 37 sexual crimes in the borough a year.

Availability of alcohol in the vicinity of the application

The area of this application has sufficient premises to meet demand and additional outlets supplying alcohol will only be detrimental to the local residents in terms of noise and disturbance, anti-social behaviour and crime and will significantly add to the cumulative impact of alcohol on residents.

This area already has a **high density of premises**. Within the Lower Super Output Area (LSOA)¹ which this application refers to there are 8 off-licences, equivalent to one off-licence for every 246 residents aged 18 and over.

¹ An LSOA is a small area home to around 1,500 residents

Harm from alcohol in the vicinity of the application

Finsbury Park Ward, to which this application relates is an area which the evidence available demonstrates a particularly high level of alcohol harm relative to the rest of the borough. As written in the Statement of Licensing policy: any further increase in the ease of access to alcohol in terms of the number of premises and the **hours of operation** needs to be carefully managed.

The 2012 Annual Public Health Report found that the area in which this premises is located had a high density of licensed premises, a high rate of alcohol-related ambulance callouts, and a high rate of alcohol-related crime.

Data on **alcohol-related ambulance callouts** show that this LSOA has a significantly higher rate of alcohol related ambulance call-outs than the borough average. In 2014/15, over half of these call-outs happened between 11pm and 5am indicating alcohol related harm increasing where alcohol is available after 11pm. This is significantly higher than the borough average and this LSOA is eighth (out of 118 LSOAs) in Islington for alcohol-related ambulance call-outs.

Each of these ambulance call-outs is an indicator that public safety has been compromised by alcohol and many are related to crime and disorder. Local analysis indicates that **ambulance callouts increase as the number of licensed premises increases**. Across Islington, 53% of alcohol-related callouts resulted in conveying a person to hospital, and 6% resulted in assistance being given at the scene or conveyed to an NHS walk-in centre. This represents a substantial use of health services. The pattern of alcohol-related ambulance callouts corresponds with the pattern of alcohol-related crime in Islington.

Recommendation

Based on the evidence available Islington Public Health Department recommend that:

- The application to vary a licence to supply alcohol is refused as it would significantly add to the cumulative impact of alcohol on the licensing objectives.
- Where the panel is minded to grant the application that the following conditions be added to the license:
 - Hours be limited to framework hours for off-licences
 - That a condition be added to the license that apart from 'premium' priced products no beer, lager or cider of ABV of 6.5% or above are sold.

Suggested conditions of approval consistent with the current premises licence

1. A working alarm system shall be installed and maintained in good working order. The alarm shall monitor all exit doors.
 2. 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.
 3. No high strength beer, lager or cider of 5.5% abv or above shall be sold.
 4. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers or staff.
 5. There shall be two members of staff present on the premises after 22:00.
 6. Only the owner and manager shall purchase age restricted goods from the cash and carry.
 7. Staff shall be trained to check the legitimacy of any alcohol purchased using UV lights and checking for anything unusual or suspicious.
 8. Public safety risk assessments shall be carried out every 12 months and records of the risk assessments shall be kept.
 9. Emergency lighting, smoke detectors and fire extinguishers shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.
 10. A fully functioning first aid kit shall be kept easily available at the premises.
 11. Fire exits signage shall be visible and be placed in at all fire exits.
 12. The telephone number for the premises shall be displayed in a prominent position outside the premises so it can be read by passers-by.
 13. Customers shall be asked to leave the customer in a good manner and not cause a disturbance.
 14. Refuse collection shall take place on weekdays between the hours of 09:00 and 18:00 only.
1. The licensee and staff should note any refusals in a refusals log. The refusals log shall be kept at the premises for no less than 12 months.
 2. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
 3. No spirits shall be purchased in a resealed box, without appropriate checks being made first.
 4. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol or tobacco.
 5. Only alcoholic drinks which are detailed on invoices will be purchased or accepted as part of a 'free' offer. Invoices (or copies) for all alcoholic goods on the premises will be made available to officers from the council, police or HMRC upon request.
 6. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.

7. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
8. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards as soon as possible.
9. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
10. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
11. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
12. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

Conditions proposed by the Pollution Team

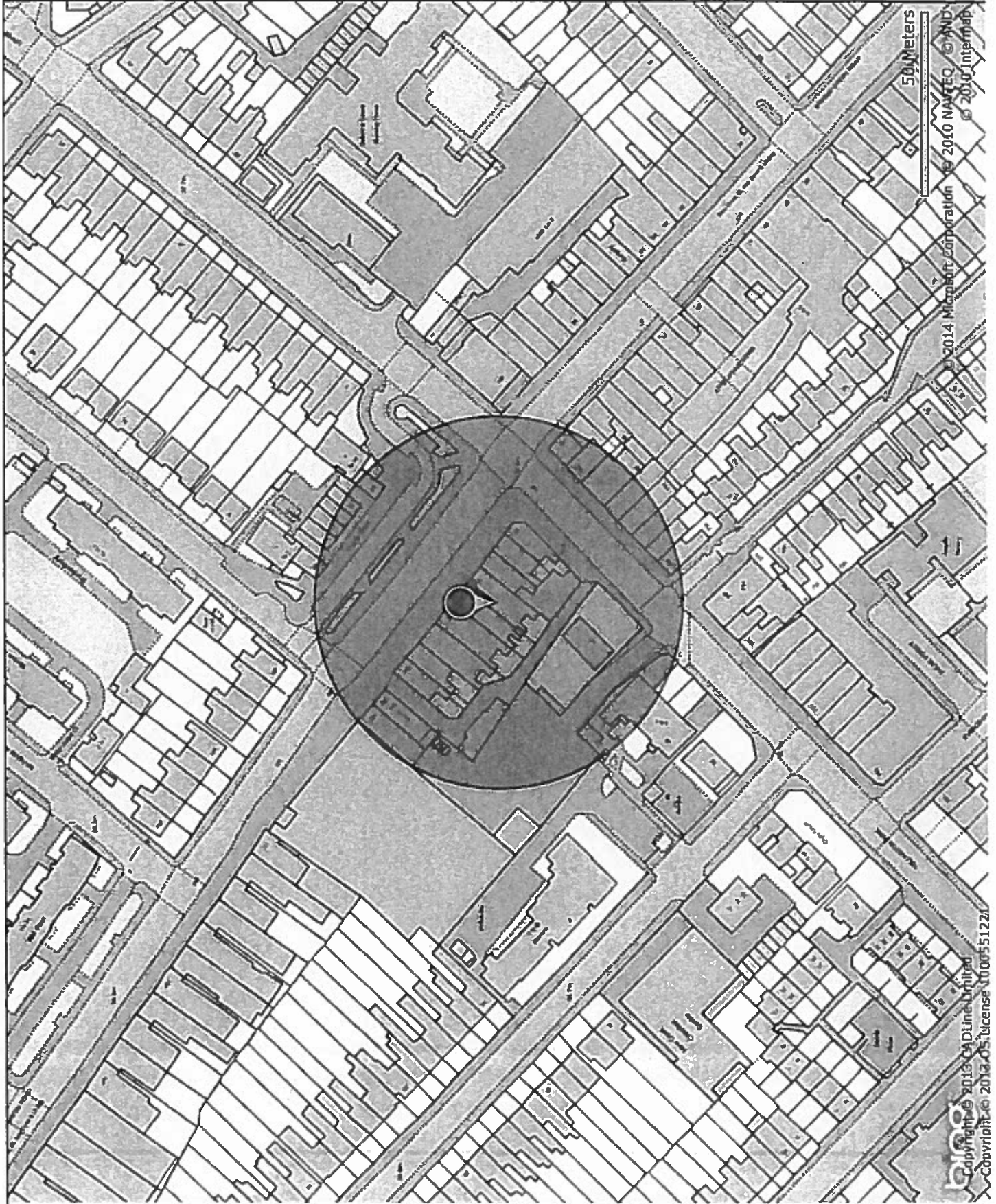
15. Deliveries and refuse collections from the premises shall only be carried out between 07:00 and 20:00 hours Monday to Saturdays, with no waste collections and deliveries on Sundays or Bank Holidays.

Title :

Islington Borough
Boundary

Printed by :
RO RO

Printed at :
22-01-2014



50Meters

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