



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	9 June 2016		Finsbury Park

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Emparo Pizza, 1 Stroud Green Road, London N4 2DQ

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
 - i) permit the premises for the provision of late night refreshments, Sunday to Wednesday from 23:00 until 03:00, Thursdays from 23:00 until 04:00 and Friday to Saturday from 23:00 until 05:00.
 - ii) permit the premises to open to the public on Sunday to Wednesday from 18:00 until 03:00, Thursdays from 18:00 until 04:00 and Friday to Saturday from 18:00 until 05:00.

2. Relevant Representations

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

Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	No
Other bodies	No

3. Background

3.1 Papers are attached as follows:-

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

3.2 The premises falls within the Finsbury Park and Holloway Road Cumulative Impact Zone.

3.3 The Licensing Authority has received two letters of representation from the Licensing Authority and the Police.

3.4 The applicant has been in discussions with the Police and Licensing Authority. Officers confirmed that they would be satisfied with the application if the premises closed to the public at 01:00 Monday to Sunday and to only provide deliveries after that time. In an email dated 27 May, the applicant stated he was happy to close at 01:00 Sunday to Wednesday, but was concerned about passing trade on Thursdays to Saturday and wanted to open until at least 03:00 on these days and so has not agreed to this proposal.

4. Planning Implications

4.1 Planning have reported that that there is no existing planning permission to operate as an A5 Take Away

5. Recommendations

5.1 To determine the application for a new premises licence under Section 17 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. conditions recommended by Responsible Authorities deemed appropriate by the Committee (see appendix 3); and
- iii. any additional conditions deemed appropriate by the Committee to promote the four licensing objectives.

6. Conclusion and reasons for recommendations

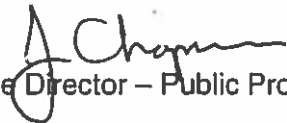
- 6.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions it considers appropriate to promote the licensing objectives.

Background papers:

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

Final Report Clearance

Signed by


Service Director – Public Protection

Date 31st May 2016

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

Section 1 of 19

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

System reference

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

Your reference

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

Are you an agent acting on behalf of the applicant?

 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 you would prefer not to be contacted by telephone

Are you:

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

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

Applicant 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

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 19

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

MOHAMED MAHROOF

Details

Registered number (where applicable)

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

Continued from previous page...

COMPANY

Address

Building number or name

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Other telephone number

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

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

Provide a general description of the premises

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

THIS PREMISES SERVE HOT FOOD AND SOFT DRINKS FOR TAKE AWAY CUSTOMERS

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

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Section 13 of 19

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

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

- Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Continued from previous page...

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

N/A

State any seasonal variations

Continued from previous page...

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

N/A

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

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

INTEND TO OPEN ON NEW YEARS EVE 23:00-05:00

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 19

ADULT ENTERTAINMENT

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

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

N/A

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Continued from previous page...

Section 18 of 19

LICENSING OBJECTIVES

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

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

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

I WOULD LIKE TO FOLLOW THE COUNCIL'S GUIDANCE ON LICENSING OBJECTIVES

b) The prevention of crime and disorder

ALREADY HAVE AN ADVANCE CCTV SYSTEM IN PLACE MONITERING INSIDE AND OUTSIDE THE SHOP
USE THE CCTV OPERATION SIGN IN THE OREMISESS
WORK CLOSE WITH THE POLICE AND THE COUNCIL AND SUPPORT THEM WITH THEIR DUTIES
ALLWAYS LOCKED THE STAFF ENTERENCE DOOR

c) Public safety

KEEP THE PREMISESS CLEAN AND TIDY
USE ALL RELEVANT SIGNS IN THE PREMISESS (FIRE EXIT, CCTV, NOSMOKING)
FOLLOW THE LOCAL AUTHORITIES INSTRUCTIONS

d) The prevention of public nuisance

WE DONT HAVE ANY SORT OF MUSIC PLAYED IN THE PREMISES (NOT EVEN RADIO)
MAKE SURE THE SHOP AND THE NEAR OUT SIDE AREA CLEAN
USE APPROPRIATE SIGNS TO RESPECT THE NEIGHBORHOOD
FOLLOW THE LOCAL AUTHORITIES INSTRUCTIONS

e) The protection of children from harm

AS WE SERVING HOT FOOD LESS HARM FOR CHILDREN STILL MAKESURE WITH SAFE PACKAGING
ALWAYS ASK FOR ALLERGY CONCERNS
FOLLOW THE LOCAL AUTHORITIES INSTRUCTIONS

Section 19 of 19

PAYMENT DETAILS

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

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

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

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

Continued from previous page...

premises then you are required to pay a higher fee

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

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

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

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

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

* Fee amount (£)

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

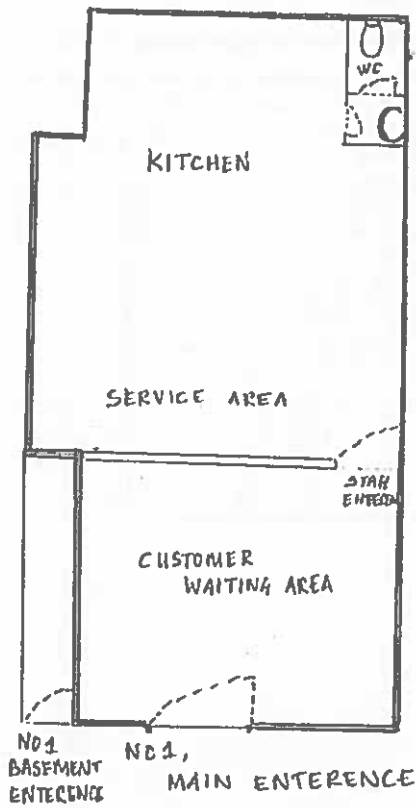
* Date / /
dd mm yyyy

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

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

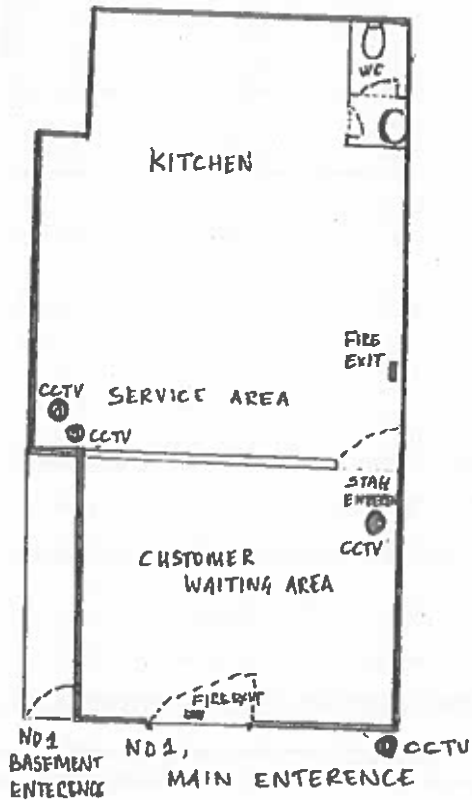
Don't forget to make sure you have all your supporting documentation to hand.

1, STROUD GREEN ROAD, N42DQ
SHOP LEASE PLAN 1:100.



GROUND FLOOR.

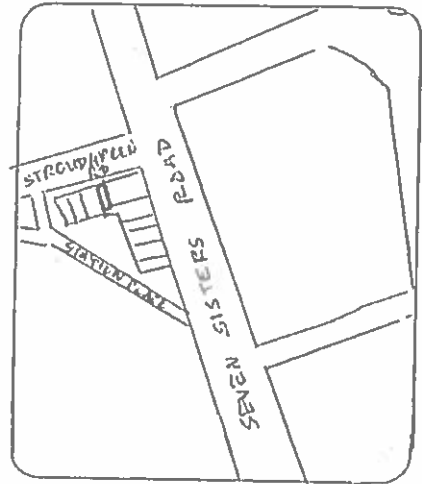
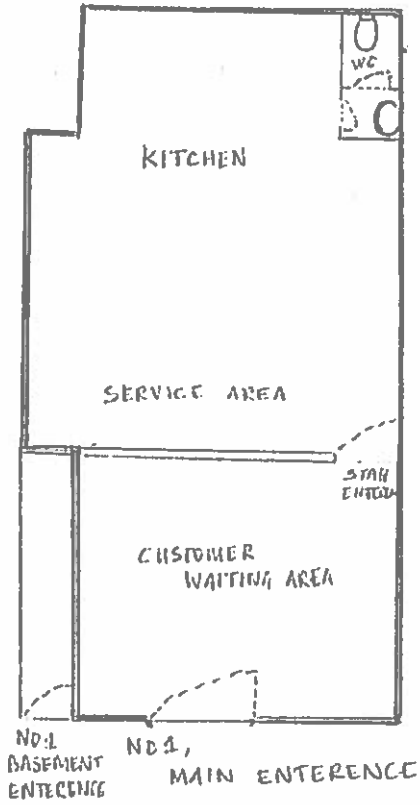
STROUD GREEN ROAD



- CCTV PLAN (4 CCTV INSTALLED.)
- FIRE EXIT SIGN

GROUND FLOOR

1, STROUD GREEN ROAD, N42DQ
SHOP LEASE PLAN 1:100.



GROUND FLOOR.

STROUD GREEN ROAD

Your New Premises License Application
Our Licensing/NI
Date: 08/05/2016



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

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

8th May 2016

Emparo Pizza

**1 Stroud Green Road
LONDON
N4 2DQ**

Dear Sir

Re: Premises License Application (New) - Emparo Pizza 1 Stroud Green Road N4 2DQ

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

Upon receiving the above application we carried out our usual checks. From this it became apparent that this venue has been operating without a license for a number of years. We have found the following crime reports linked to this venue:

2822994/15 - ABH - 30/09/2015 2345hrs - A fight between two members of staff resulted in one sustaining ABH injuries. At the time, staff at the venue did not assist police in CCTV enquires stating no one could use the system.

2712712/15 - Criminal Damage - 25/05/2015 0320hrs - During an altercation outside the venue between suspects glass window at the venue has been broken. Again the venue wasn't able to provide a copy of the CCTV even though police had arrested the suspects and required it for evidential purposes.

There are also two instances of the venue being victim to counterfeit currency by customers trying to pay for goods with fake 20 pound notes. On both occasions these are within the proposed times that the applicant is putting forward for their operating hours.

It would appear that it was only after receiving a warning letter dated 8th April 2016 from the council that the applicant decided to submit this application. This is on the back of a similar warning letter dated 22nd August 2013 whereby it was identified that they were already in breach of an existing Licence at the premises and should stop providing Late Night Refreshments. They have taken no such action since that 2013 warning and continued to operate in contravention of the Licensing Act 2003. This clearly shows a lack of consideration, by the applicant, for the current licensing legislation. How long would the applicant have continued to operate without a license had he not been caught and why didn't he see to applying for a licence in the first instance almost 3 years ago? The levels of Management currently in place do not meet the high standards required and expected by the Council Licensing Policy and by The Police Licensing Officers.

The current applied for hours also fall outside of the recommended hours contained within the Council Licensing Policy 2013-2017 for hot food take away venues. It is also within the Holloway Finsbury Park Cumulative impact area and the applicant has not shown any evidence in his submission as to rationale for such late opening hours.

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

It is however appreciated that the applicant has engaged with the Metropolitan Police regarding the provision of CCTV within the venue and to have the below condition added to the license.

If the Committee is minded to grant the application then we would ask that the following conditions are added to the License.

1. The requested hours are changed to SUN- THUR Midnight, FRI - SAT 1am.
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 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.

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

Yours sincerely
Ben Chadwick Pc 292NI
Steven Harrington Pc 425NI
Peter Conisbee Pc 575NI

Islington Police Licensing Officers

Licensing Act 2003- Representation from the Licensing Authority
Application: Emparo Pizza, 1 Stroud Green Road, London, N4 2DQ

I am submitting a representation on behalf of the Licensing Authority with respect to the new premises licence application seeking to allow late night refreshment:

- 23:00 until 03:00 Sunday to Wednesday
- 23:00 until 04:00 Thursday
- 23:00 until 05:00 Friday and Saturday

The grounds for the representation are:

- Public nuisance
- Crime and disorder; and
- Public Safety

Licensing Policy Considerations

Licensing Policies 1 & 2 *Location, cumulative impact and saturation;*
Licensing Policies 7 & 8 *Licensing Hours; and*
Licensing Policy 9 *Operating Schedule.*

Issues of Concerns

This application appears to have been prompted following enforcement by Licensing Officers after the premises was found to be open and trading on licensing visits on 15 January 2016. Officers found flyers at the premises advertising the sale of late night refreshment until 03:00 Sunday to Wednesday, until 06:00 on Thursday, and 05:45 on Friday and Saturday.

The premises was originally written to on 22 August 2013 when they were advised that the premises only benefits from a licence for the whole building, included 1 -3 Stroud Green Road, London, N4 until 23:30.

On the 8 April 2016 the premises were written to again, this time the letter was addressed to holder of the premises licence for the whole site, and not directed to the premises directly. This prompted them to finally apply for a premises licence.

The premises is situated within the Finsbury Park Cumulative Impact area, therefore the onus is on the applicant to demonstrate that the application will not add to the cumulative impact. The applicant has not even referenced the cumulative impact area within the application.

The applicant is seeking hours of operation far in excess of those suggested within the Council's Licensing Policy. While these hours are only intended as a guide to help applicants when preparing their application, the expectation is that any proposal for hours in

excess of these will be explained within the operating schedule. The applicant has not made any reference to this.

The Licensing Authority does not find any evidence within the application that the applicant has understood the possible impact of providing such a late night service on the licensing objectives.

The Licensing Authority needs to be satisfied that the style, operation and management of the proposed venue will not undermine the licensing objectives. The Licensing Policy stresses the importance of high standards of management (LP 9) as a key factor in promoting the Licensing objectives. The Licensing Authority is not satisfied that the proposed licence conditions, especially given the poor history of compliance with the licensing objectives within the operating schedule are sufficiently robust so as to ensure that the premises will not undermine the licensing objectives.

Summary and recommendations

The proposed licensable activities, hours and supporting operating schedule do not satisfy the Licensing Authority that such a licence should be granted within a cumulative impact area or that the granting of such will promote the licensing objectives. The application should therefore be refused.

In the event that the applicant amends the application or produces additional information, either before or during the Licensing Committee hearing, that addresses the Licensing Authority's concerns, the Licensing Committee should consider imposing additional conditions relating to the:

- Hours of operation;
- Management controls;
- Licensing Compliance issues

Janice Gibbons
Service Manager (Commercial)
Islington Council
Public Protection Division
222 Upper Street
London N1 1XR
E: janice.gibbons@islington.gov.uk

10 May 2016

Appendix 3

Suggested conditions of approval consistent with the operating schedule

1. The premises licence holder will work closely with the Police and the Licensing Authority.
2. All instances of crime and disorder shall be reported to the police.
3. An incident book shall be used to record all instances of public disorder.
4. Staff at the premises shall ensure that the immediate area outside the premises is kept clear of rubbish at all times the premises are open and operating.
5. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
6. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Conditions requested by the Police – Not agreed at the time of writing the report

1. The requested hours are changed to SUN- THUR Midnight, FRI - SAT 1am.
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 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.

