



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	8 April 2014	B1	Tollington

Delete as appropriate	Exempt	Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION

RE: SEVEN DAYS FOOD AND WINE, 93A STROUD GREEN ROAD, LONDON N4 3PX

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
 - i) Supply alcohol for consumption off the premises from 08:00 to 23:00 Monday to Sunday
 - ii) Opening hours of the premises from 08:00 to 24:00 Monday to Sunday.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 19 of the Licensing Act 2003.
- 2.2 If the Committee grants the application it should be subject to:
 - i) conditions of the current premises licence;
 - ii) conditions prepared by the Licensing Officer which are consistent with the Operating Schedule
 - iii) conditions recommended by responsible Authorities
 - iv) any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 The premises is currently unlicensed.

- 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 to Mustafa Danisan.
- d) A Review application by Trading Standards was submitted on 2 August 2011 and the licence was revoked by Licensing Sub Committee on 3 November 2011.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 Licensing Sub Committee granted a new licence to Mr Ali Keles 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 to the current licensee Mr Bulent Dogan.
- h) On 13 February 2013 the Trading Standard 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 The decision to revoke was appealed by the licensee but the appeal was withdrawn on 3 September 2013 the day before the hearing was due to start.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 has remained unlicensed since this date.

3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations from Police, Licensing Authority and Trading Standards;
- Appendix 3: suggested conditions and map of premise location.

4. Planning Implications

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

5. Conclusion and reasons for recommendations


- 5.1 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 necessary 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 Team

Tel: 020-7527-3031

Fax: 0207-527-3057

E-mail: licensing@islington.gov.uk

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for a 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 Ulker Erdogan..... apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>93A STROUD GREEN ROAD</u> <u>SHOP NAME: SEVEN DAYS FOOD & WINE</u>	
Post town <u>LONDON</u>	Post code <u>N4 3PX</u>

Telephone number at premises (if any)

02076193962

Non-domestic rateable value of premises

£ 10'000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

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)

0668364
£190-00
2110114

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) 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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname

First names

Please tick
✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

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

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	4	02 2014

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

Day	Month	Year

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

Please give a general description of the premises (please read guidance note 1)

Convenience Store - Double fronted lock up premises. Occupying a busy parade position in a highly populated area. It's a ground floor premises with residential above. The premises is a main road trading position in a densely populated residential and commercial area. Plenty of business around with lots of passing trade. Situated outside from the store will be an inviting display of healthy fruits and vegetables. In store you will be able to purchase the convenience foods e.g. breads, dairy, cold meats, soft drinks, toiletries, confectionery, tobacco, alcohol. There are freezers and cold fridges to accommodate frozen and cold food selections. The store will be trading from early 8am till 12am to accommodate and support the community.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 3)	Both	
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 4)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 3)	Both	
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		Please give further details here (please read guidance note 3)
Tue					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Wed					Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
Mon				Outdoor	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					

Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)		
			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
			Please give a description of the facilities for dancing you will be providing		

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor
				Outdoor
Mon				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	✓
				Both	
Mon	08.00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	08.00	23.00			
Sat	08.00	23.00			

Sun	08.00	23.00	
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State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Ulker Erdogan

Address.....

Postcode..

Personal Licence number (if known)

Issuing licensing authority (if known) London Borough of Haringey

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public
Standard timings (please read guidance note 6)

Day	Start	Finish
Mon	08.00	24.00
Tue	08.00	24.00
Wed	08.00	24.00
Thur	08.00	24.00
Fri	08.00	24.00
Sat	08.00	24.00
Sun	08.00	23.00

State any seasonal variation (please read guidance note 4)

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

✓

P

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

a) General - all four licensing objectives (b,c,d,e) (please read guidance note 9)

The prevention of crime and disorder
Public safety
The prevention of public nuisance
The protection of children

b) The prevention of crime and disorder

CCTV
Staff training for alcohol
Alarm
Movement lighting
Locks
Cash register away from customer access

c) Public safety

Fire regulations
Food safety
Disabled facilities
Health and safety
Temperature control

d) The prevention of public nuisance

Noise
Rubbish and litter
Parking

e) The protection of children from harm

Strong language
Adult entertainment
Violence
Signs for not selling alcohol or tobacco under legal age requirements
Admission of children (at school times)
Proof of age
Challenge 21 scheme

- Please tick yes
- I have made or enclosed payment of the fee
 - I have enclosed the plan of the premises
 - I have sent copies of this application and the plan to responsible authorities and others where applicable
 - I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
 - I understand that I must now advertise my application
 - 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 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature *ib*

Date 21/01/14

Capacity

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Licensing Authority Representation

Application: 93a Stroud Green Road London N4

I am submitting a representation on behalf of the Licensing Authority with respect to the new premises licence application to permit off sales of alcohol from 8am to 11pm Monday to Sundays.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

The premises is not located in a cumulative impact area so there is no presumption that the application should be refused and the onus is on responsible authorities and other persons to demonstrate that granting the licence will undermine the licensing objectives.

Licensing Policy Considerations

<i>Licensing Policy 1</i>	<i>Location, cumulative impact and saturation</i>
<i>Licensing Policy 4</i>	<i>Shops selling alcohol</i>
<i>Licensing Policies 9 & 10</i>	<i>Standards of management & operating schedule</i>

Licensing Policy 1

There are 4 other premises licenced for off sales with 250m of 93a Stroud Green Road

Address	Address	Alcohol sales hours
Stroud Green Convenience Store	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

Licensing Policy 4

This policy outlines the Licensing Authority's approach to shops selling alcohol. It recognises that the statutory guidance issued to Local Authorities suggests that shops should be permitted to sell alcohol during opening hours unless there is 'good reason'. In view of the difficult trading environment arising from so many off licences in such a small area applicants need to demonstrate good management practice to be able to demonstrate favourable consideration under this policy.

Licensing Policies 9 & 10

This premise has a long history of undermining the licensing objectives. Last year year the premises licence application was revoked by the Licensing Committee and this decision confirm on appeal in the Magistrates Court in September 2013.

The Licensing Authority is not confident that the applicant has the ability to operate licenced premises in such a way that it will not undermine the licensing objectives. The operating schedule contains virtually no proposals that you would normally expect of a premises selling alcohol, despite advice from Trading Standards and the recommendation that the applicant reads the Licensing Policy and model conditions.

The operating schedule contains:

- no acknowledgement of the problems that this premise has caused in the past
- no reference to the licensing policy framework
- a lack of any convincing evidence that the applicant will be able to supply alcohol in such a way that it will not undermine the licensing objectives.

The Licensing Authority recommends that the Licensing Committee takes the opportunity to question the applicant at the hearing to satisfy themselves that the applicant has the necessary experience, skills and competency to manage the business in such a way that the sale of alcohol from these premises will not undermine the licensing objectives.

Summary and recommendations

The Licensing Authority has considered this application using the Licensing Policy framework, in particular:

- the location of the premises
- the style and hours of operation proposed by the applicant
- feedback from partners
- the management arrangements described in the operating schedule,

It recommends that this application is refused

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

13 February 2014

Fitzsimons, Aiden

From: Love, Douglas
Sent: 16 December 2013 11:05
To: 'Natalie'
Cc: Tomashevski, Katie; LicensingPolice
Subject: RE: F. a. o. Ulker Erdogan
Attachments: Proposed conditions.doc

Hi.

Sorry for the delay in e-mailing further to our meeting of last Monday.

Please find attached the conditions I suggest should be offered on an application to cover the 'Trading Standards' issues of underage sales and illicit alcohol.

As suggested, you are best advised to submit a detailed application that covers all the issues of concern of the 'responsible bodies' under the Act. I think that Katie has already suggested some conditions relating to cheap, strong alcohol favoured by street drinkers.

However, please remember that you must understand any conditions you offer and be able, if necessary, to explain how you will comply with them.

I also refer you to my previous e-mail and our conversation:

- You will need to know the licensing objectives: you seemed to have a reasonable grasp of measures you would take to promote them without being able to name them when I spoke with you.
- Our Licensing Policy suggests standard hours for off licences should be 8am to 11pm. I think that it will be difficult to persuade the Committee to grant any additional hours.
- I advise you not to commit yourself to unnecessary expenditure before a licence has been granted.
- It is inevitable that this application will be heard by a Committee, given the nature of the premises history. This will probably be 6-8 weeks after the application is made.

Kind regards,

Doug

-----Original Message-----

From: Natalie [mailto:████████████████████]
Sent: 13 December 2013 12:53
To: Love, Douglas
Subject: Re: F. a. o. Ulker Erdogan

Dear Mr Love

Could you please attach the form or information what I need to do now to apply for licence thank you

Sincerely

Erdogan

> On 27 Nov 2013, at 15:03, "Love, Douglas" <Douglas.Love@islington.gov.uk> wrote:
>

> Dear Mr Erdogan,

>

> Thank you for your e-mail. I will be happy to meet with you prior to you making a licence application for 93a Stroud Green Road.

>

> To get a licence you will be able to need to be able to prepare and understand an application with a robust operating schedule and show a Licensing Sub-Committee (LS-C) that you will make a responsible licensee. The LS-C is made up of three Councillors and it is inevitable that any application for these premises will be heard by them. They will expect you to be able to show that you will be able to promote the Licensing Objectives in line with the Council's Licensing Policy. Under the current Policy it has become much harder to get a licence as the Council considers that there are too many poorly managed off-licence premises and are determined to improve the standards of management in the sector as a whole.

>

> I have attached some documents and I would advise you to be familiar with them before we meet. I suggest that Ms Tomashevski from Licensing and one of the Licensing Police Officers attends the meeting, also. If you can convince us that you will be a responsible licensee, we can pass this on to the LS-C and it should make your application more likely to succeed.

>

> I would repeat the advice that I understand Ms Tomashevski offered: unless you intend to go ahead in purchasing the lease whether or not you get a premises licence, do not commit yourself to any unnecessary expenditure until you know for certain. I would add to be selective about who (if anyone) you choose to represent you: some licensing consultants are far better than others.

>

> I have attached:

>

> 1) The current licensing policy. Look at it all and, in particular, look at the definition of 'high standards of management' in Licensing Policy 10.

>

> 2) Our advice booklet on selling age-restricted goods.

>

> 3) Our guidance sheet on illicit alcohol and tobacco.

>

> 4) Our 'Golden Rules for Licensees' leaflet.

>

> Please contact me to arrange a meeting when you have looked at this information and feel able to show me (us) how you would be a good licensee.

>

> Doug

>

> -----Original Message-----

> From: Natalie [mailto:natalie@...]

> Sent: 27 November 2013 13:34

> To: Love, Douglas

> Subject: To Doug Love

>

> 27 November 2013

>

> Doug Love Principal CSO (Alcohol and Tobacco Control) Trading Standards

>

> To whom this may concern,

>

> I'm going to purchase a shop 93A Stroud Green Road London N4 3PX, but unfortunately the previous proprietor had his licence revoked. What steps would need to be made to establish full licensing once more.

>

> Please could you guide me in the right direction to rectify this and arrange a meeting to discuss this further in details at your earliest convenience.



ISLINGTON

PUBLIC PROTECTION DIVISION

Trading Standards
222 Upper Street
London N1 1XR

Tel: x 3874
E-mail: doug.love@islington.gov.uk

Please reply to: Doug Love

MEMO TO:

**LICENSING TEAM
222 UPPER STREET**

Our Ref:
Your Ref:
Date: 12/02/2014

LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY

Seven Days F&W, 93a Stroud Green Road, N4 3PX

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

1. This premises has a very poor history. Since 2008, there have been four underage sales (of fireworks); three seizures of illicit alcohol and tobacco; and a sale of loose cigarettes. As a result of these events, Trading Standards have applied for reviews of the last two licences at the premises. The LS-C have, correctly in my view, revoked the licence on both occasions. Currently there is no active licence at the premises, since the appeal against the last revocation was withdrawn in September 2013.
2. Following an exchange of e-mails, Mr Erdogan and his brother Ferhat Erdogan visited the Council offices to speak with me on 9th December, prior to making this application. We discussed the history of the premises; the need for the operating schedule to be particularly robust given the history of the premises; and the precautions that should be taken by the business (and detailed on the application) regarding underage sales and illicit goods.
3. I followed up this meeting with another e-mail, sent on 16th December. I attach the e-mails as an appendix to this representation. I tried to assist the applicant as fully as I could (at least in advance of him taking possession of the shop), sending him the Licensing Policy and our guidance; providing suitable conditions to cover the TS concerns; stressing that the applicant will need to be conversant with the Licensing Policy and the Licensing Objectives and have a thorough knowledge and understanding of his application.
4. Given these activities prior to the application, I was hoping for a good, robust and comprehensive operating schedule. Unfortunately, these are not adjectives that can be applied to the one that arrived.
5. The inadequacies of the application will be obvious to many people reading it: instead of describing how the Licensing Objectives will be met, there are a series of headings with, on their own, little meaning; illicit goods is not covered at all (although the applicant may have had this in mind under his heading "Staff training for alcohol"); the suggestion that Challenge 21 will be used directly contradicts Trading Standards' advice that Challenge 25 is appropriate.
6. I have not spoken with either Mr Erdogan since the application was received. I am willing to do so, if they wish, but I'm not sure that I can add anything to the assistance I have already offered at this stage.

**Licensing Act 2003- Representation from the Pollution Projects Team
Variation Application: Seven Days Food and Wine Stroud Green Road Islington**

I am submitting a representation on behalf of the Pollution Projects Team with respect to a variation licence application to:

- permit sale of alcohol for consumption off the premises 08:00 to 23:00 from Mondays to Sundays.

Hours open to the public 08:00 to 00:00 midnight

The grounds for the representation are:

- Public nuisance

The premises is not located in a cumulative impact area so there is no presumption that the application should be refused and the onus is on responsible authorities and residents to demonstrate that granting the licence will undermine the licensing objectives.

Licensing Policy Considerations

<i>Licensing Policy 1</i>	<i>Location, cumulative impact and saturation</i>
<i>Licensing Policy 4</i>	<i>Shops selling alcohol</i>
<i>Licensing Policy 9 & 10</i>	<i>Operating schedules</i>

Licensing Policy 1

The key issues are: the type of premises; their cumulative impact and the mix of premises in the area.

The premises is located in Stroud Green Road in a parade of shops just outside the Finsbury Park and Holloway Road Cumulative Impact Area. The area may have a street drinking problem – it was noted that the rear access road for the parade is littered with drinks cans and small bottles of spirits.

The area is well served by other premises selling alcohol to the extent that it could be argued that the area is saturated. Given the above we believe that exacerbate the situation and ultimately undermine the public protection licensing objective.

Licensing Policy 4

This policy outlines the Licensing Authority's approach to shops selling alcohol. It recognises that the statutory guidance issued to Local Authorities suggests that shops should be permitted to sell alcohol during opening hours unless there is 'good reason'. In view of the number of premises in the area and the existence of a street drinking problem we believe that Licensing Policy 4 is applicable to this application.

Licensing Policies 9 & 10

The operating schedule for the prevention of public nuisance states:

- 'Noise'
- 'Rubbish and litter'
- 'Parking'

We have visited the premises and asked the business representative if there were further steps that the applicant could take to promote the licensing objective of the prevention of public nuisance. After a brief discussion it was agreed that the applicant could email the Pollution Projects Team with further steps. We received an email from a natalie89london@yahoo.ie on the 5th February on behalf of the applicant stating

'Dear Eryka Bancroft

Here is additional part to public nuisance from paragraph P part D .
Build strong relationship with local police. Zero tolerance to loitering .No cheap sales promotions.

Also additional part to part B

Full CCTV 24 hours recording. Keeping all records of purchases .Fire alarm.Refusal book .

Yours Mr Erdogan

Having considered the steps stated by the applicant in the original application and the supplementary email we believe that the Applicant could have worked to produce a comprehensive set of conditions demonstrating an active management stance to preventing public nuisance. The application is inadequate in identifying the potential for public nuisance and steps intended to be taken to promote the licensing objective within the submitted operating schedule. The Applicant does not appear to have considered the local area and how to promote the public nuisance licensing objective. The Operating Schedule submitted, indicates a style of management will be reactive rather than proactive.

We are not confident that the applicant has the ability to operate licenced premises in such a way that it will not undermine the public nuisance licensing objective.

Summary and recommendations

We have considered this application using the Licensing Policy framework, in particular:

- the location of the premises
- the style and hours of operation proposed by the applicant
- the management arrangements described in the operating schedule,

The applicant does not appear to have considered the local area, nor sought advice on measures to put in place to put in place to promote the licensing objectives indicating that the style of management will be reactive rather than proactive.

We are concerned at the hours that have been applied for noting on talking with the Applicant that hours actually being sought for the off sales of alcohol were 09:00 to 19:00.

We recommend that in order to promote the licensing objectives this application as sought is refused.

Eryka Bancroft
Senior Environmental Health Officer (Noise)
eryka.bancroft@islington.gov.uk

Your
Our Licensing/NI
Date: 17/02/2014



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

Telephone: 020 7527 2323
Email:
licensingpolice@islington.gov.uk

Date: 17th February 2014

Seven Days Food and Wine
93 Stroud Green Road
LONDON
N4 3PX

Dear Sir

Re: Seven Days Food and Wine 93A Stroud Green Road N4 3PX

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, being the Prevention of Crime and Disorder.

Cumulative Impact Zone

Although the venue is not situated in a designated 'Cumulative Impact Zone'; a locality where there is traditionally high crime and disorder, it is only approximately five meters outside. Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency service's resources. It should also be remembered that the applicant has requested off sales only and the whole of Islington has in place a Designated Public Place Order (see History below) which give spolice the ability to deal with anti-social alcohol drinking in public places.

Operating Policy

The applicant and his brother have attended the Council Offices on 9th December 2013 seeking advice on making this application and spoken to Mr Love from Trading Satndards. I am aware that he gave them considerable advice regarding the need for a very thorough operating schedule which has not been forthcoming. I am also aware of various follow-up messages from Trading Standards.

Hours

The hours requested are within those suggested by the Licensing Policy.

History

The venue has twice had its license revoked for illicit sales of alcohol. There are very few crimes directly related to this venue, however, in this Cumulative Impact Zone there have been 3650 crimes recorded between October 2012 and September 2013. The top four being Theft (Other - usually phone and bag theft), Theft from Person (usually being phone snatches), Domestic Incidents and Assault. There have also been 104 offences of Public Order.

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, licensingpolice@islington.gov.uk

Yours sincerely

Paul Hoppe Pc 208NI
Steven Harrington Pc 425NI
Peter Conisbee Pc 575NI
Islington Police Licensing Team

Suggested conditions of approval consistent with the operating schedule

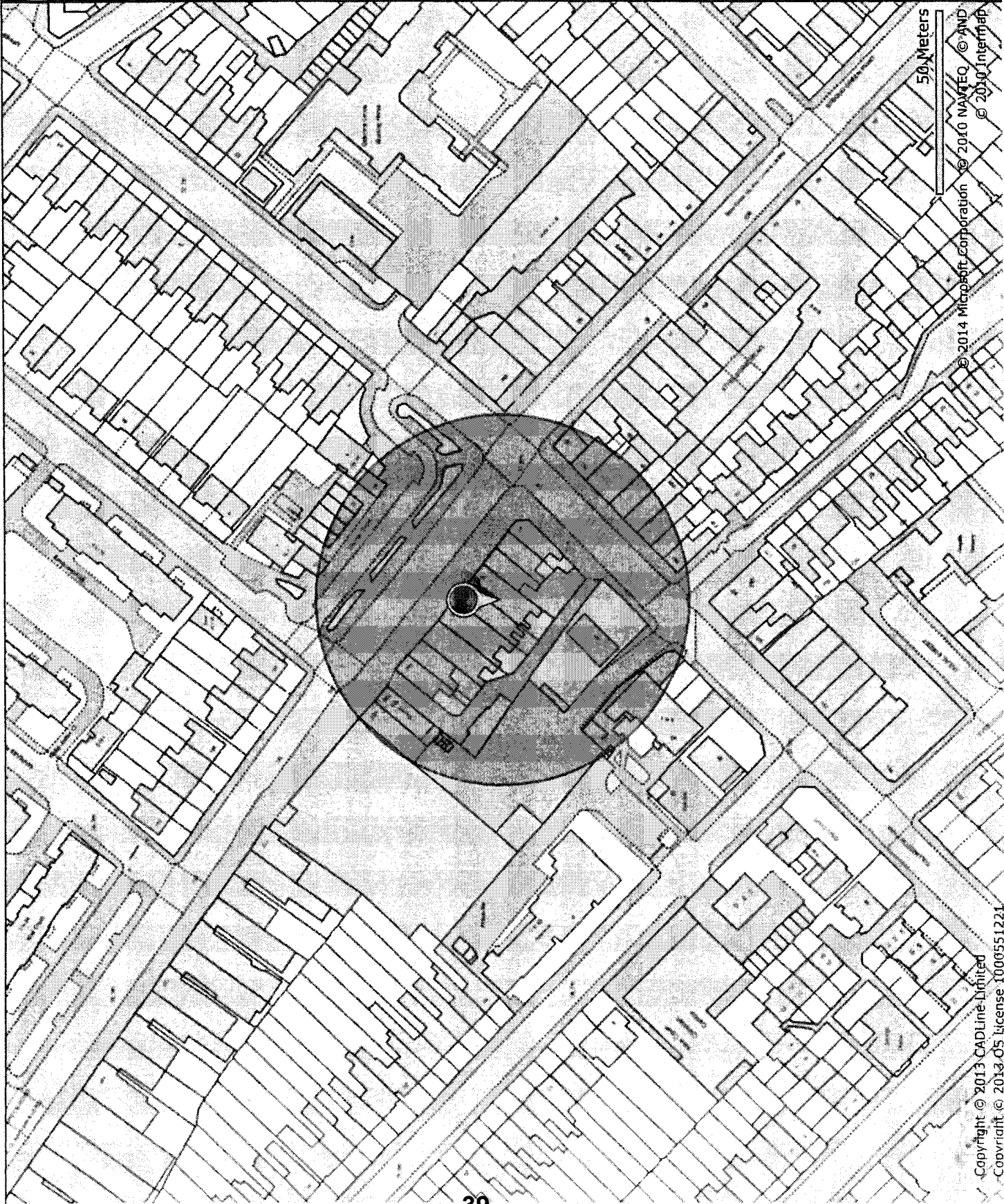
Although the applicant was provided with pre application advice including a copy of the Council Licensing Policy 2013 – 2017 which includes a full list of model conditions, the operating schedule included with the application does not contain sufficient detail for conditions to be drafted at the time of preparing the report.

Title :

Islington Borough
Boundary

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