



Resources Department
Town Hall, Upper Street, London, N1 2UD

AGENDA FOR THE LICENSING SUB COMMITTEE D

Members of Licensing Sub Committee D are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **6 December 2016 at 6.30 pm.**

Stephen Gerrard
Director – Law and Governance

Enquiries to : Jackie Tunstall
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Despatched : 28 November 2016

Membership

Councillor Nick Wayne (Chair)
Councillor Satnam Gill OBE (Vice-Chair)
Councillor Marian Spall

Substitute

All other members of the Licensing committee

Quorum: is 3 Councillors

Welcome : Members of the public are welcome to attend this meeting.
Procedures to be followed at the meeting are attached.



A. Formal matters	Page
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1. Introductions and procedure
2. Apologies for absence
3. Declarations of substitute members
4. Declarations of interest

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a)Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of Business

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| 6. Minutes of Previous Meeting | 1 - 10 |
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B. Items for Decision	Page
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- | | |
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| 1. Gunay Supermarket, 231 Seven Sisters Road, N4 2DA - Premises licence variation | 11 – 44
Finsbury Pk |
|---|------------------------|

2. Nisa Local, 89-91 Holland Walk, N19 3XU - Licence transfer application

45 – 88
Hillrise

C. Urgent non-exempt items

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

D. Exclusion of public and press

To consider whether, in view of the nature of the remaining items on the agenda, any of them are likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

E. Urgent Exempt Items (if any)

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

ISLINGTON LICENSING SUB-COMMITTEES -

PROCEDURE FOR HEARING LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003

INTRODUCTION

TIME GUIDE

- 1) The Chair of the Sub-Committee will open the meeting and invite all members of the Sub-Committee, Officers, the applicant and anybody making representations, including witnesses (who have been given permission to appear) to introduce themselves.
- 2) The Chair will introduce the application and draw attention to the procedure to be followed as detailed below.

CONSIDERATION OF APPLICATIONS:

N.B. The Sub-Committee have read all the papers. All parties should use this time to present a summary of their key points and not to repeat the detail already provided in the report.

- 3) **The Licensing Officer** will report any further information relating to the application or representations. Where necessary the relevant parties will respond to these points during their submissions.
- 4) **Responsible Authorities** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 5) The Sub-Committee to question the responsible authorities on matters arising from their submission.
- 6) **Interested Parties** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 7) The Sub-Committee to question the objectors on matters arising from their submission.
- 8) **The applicant** to present the key points of their application, address the representations and clarify any points requested by the Authority. Witnesses given permission by the Authority may appear. 10 mins
- 9) The Sub-Committee to question the applicants on matters arising from their submission.
- 10) If required, the Licensing Officer to clarify matters relating to the application and the Licensing Policy.
- 11) The Chair may give permission for any party to question another party in the order of representations given above.

CASE SUMMARIES

- 12) **Responsible Authorities**
 - 13) **Interested parties**
 - 14) **Applicant**
- 2 mins each

DELIBERATION AND DECISION

- 15) The Sub-Committee may retire to consider its decision. The Committee Clerk and Legal Officer will remain with the Sub-Committee.
- 16) If the Sub-Committee retires, all parties should remain available to provide further information or clarification.
- 17) The chair will announce their decision giving reasons and any conditions to be attached to the licence. All parties will be informed of the decision in writing.

London Borough of Islington

Licensing Sub Committee D - 13 October 2016

Minutes of the meeting of the Licensing Sub Committee D held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 13 October 2016 at 6.30 pm.

Present: **Councillors:** Nick Wayne, Satnam Gill and Marian Spall

Councillor Nick Wayne in the Chair

142 INTRODUCTIONS AND PROCEDURE (Item A1)

Councillor Nick Wayne welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.

143 APOLOGIES FOR ABSENCE (Item A2)

There were no apologies for absence.

144 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

145 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

146 ORDER OF BUSINESS (Item A5)

The order of business would be B2, B3, B1 and B4. This was to allow interested parties and the applicant for Item B1 to discuss the revised application.

147 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED

That the minutes of the meeting held on the 16 August 2016 be confirmed as a correct record and the Chair be authorised to sign them.

148 FORA SPACE, GROUND FLOOR, 71 CENTRAL STREET, EC1V 8BU - APPLICATION FOR NEW PREMISES LICENCE (Item B1)

The licensing officer reported that this application was in the Bunhill cumulative impact area and was currently licensed as Clerkenwell Conference Centre. A revised application had been made for reduced hours; 10:00 until 22:00 hours seven days a week. It was noted that the opening hours would also be 10:00 until 22:00 seven days a week.

The licensing authority advised that they had made no representation as they did not consider that the application would add to the cumulative impact area.

The local residents were concerned about the volume of business the premises would attract. The restaurant was open to the public and would cause noise and they did not understand the need for a licence for an office. This was a highly built up residential area. They stated that the restaurant would seat 70 people and in the bar, 50 people who would not be members of the office premises. There was one revolving door which would need to accommodate 500/600 people. This door was two meters away from their own building and there had been no investigation into noise levels, the amount of people leaving the building and people smoking near the premises.

The local residents did not consider that the applicant had put forward any measures to prevent crime and disorder, public safety and children from harm. They'd been no assurances that there would not be future applications and they did not understand why the application was necessary. There had been a large number of public representations.

The licensing officer reported that a letter had been sent to all interested parties on the 22 September advising of the revised application.

The applicant's representative advised that efforts had been made to contact residents groups but they had been advised that there were none. The hours were from 10:00 to 22:00 hours only. Music would be background only. Patrons would access the premises via a revolving door and a concierge. A plan of the premises was tabled. It was noted that Area A, was conditioned that alcohol would only be sold to those seated and having a table meal. Area B was a community/cafe area. There were three further limited off sales areas marked on the plan, Areas C, D and E. The applicant stated that there would be a maximum of 400 people in the building. They wanted to encourage people to stay in the building with ideas such as yoga, virtual PAs. Members could have a business meeting, go to the restaurant and have a glass of wine. On another day staff could invite their spouses/partners to the premises to meet colleagues. The restaurant was to be run by a restaurateur and was not a chain. If the licence was granted then if the previous licence was transferred it could then be surrendered. There were no objections from the responsible authorities. It was hoped that residents would use the restaurant. They had spent a year looking for the right operator of the restaurant. His other restaurants were also in residential areas. This was a business in the style of the future in which much had been invested.

In response to questions, the applicant's representative stated that Area B was not a bar but had a bar in it. This was an area where people would only 50 people would be seated. Patrons would have to walk by an office lobby. They could come for a talk and could share ideas. This would be service driven. People would not be allowed to continuously drink as it was in the lobby area of the business. It was proposed that Areas A and B would also be open to the public. There would be a relaxed work vibe. Members of the public could attend the restaurant/bar areas. The restaurateur wanted to bring a great restaurant to the space. He had four restaurants. The Chair stated that this type of restaurant would be a sought after venue. The restaurateur stated that all his restaurants were different. The quality would be the same but the environment different. It was expected that lunches in the bar would cost approximately £6 - £10. Meals in the restaurant would be in the region of £30-£50. There would be 1½ hour sittings. The bar was seated and there could be a condition regarding table service. There were no pints. The café area was not alcohol led but workspace led. The applicant would just like the facility to sell alcohol. The lobby would need to be kept clear. There would be desks in the middle of the area. The main door would be covered for 24 hours with a night porter when the restaurant was closed. Alcohol would be ancillary to food in the restaurant. In the café, the applicant would want people to come in and just to have a drink after work. In Area A, patrons would have to be seated and eating a table meal. It was agreed to have waitress/waiter service if required. The Sub-Committee were asked to consider Area B on a basis of 50 people and not alcohol led. The applicant stated that they had considered whether or not the bar area should only be used

for members and their guests. It was stated that the area did not look like a bar. They wished the local community to be able to use the space. They were confident that the bar would have no impact. The applicant considered that it would be unfair if non-members could not be served a drink just because they were unable to afford the membership fee.

The Chair noted that the Licensing Authority had not made a representation but asked if they had altered their view of the application after hearing the evidence. The licensing authority stated that the bar area was limited in number, was also not alcohol led and was within hours detailed in the policy. It was also noted that the film aspect of the original application was incidental and would not require a licence.

The local residents reported that the bar area would hold 50 people and the restaurant would hold 70 which allowed over 150 people and members to have access to office areas up until 2am. It was stated that the applicant had not mentioned anything about their events. They had not talked about public nuisance. There was no separate exit door and the entrance of the main building was 2 metres away from their own building. Smoking would be outside premises and there had been no consideration of the sound impact. They believed that there would be public nuisance. There was a small café across the road that patrons could use. The residents asked that there be no future applications and were concerned that there would be public access to the building when there was a community centre opposite.

The applicant's representative stated he was unable to give an assurance for future applications but if there were any applications, residents would be able to comment in the normal manner. The premises were to be serviced offices with ancillary use for a restaurant and bar which they would like local people to use. There had been no objections from the responsible authorities. The proposed hours were well within core hours and it was considered that the application was an exception to policy as this was a small premises with 50 people or less and was not alcohol led. They agreed to a condition regarding waiter/waitress service if required. The applicant's representative considered that, with the type of premises and conditions the Sub-Committee could grant the licence in its entirety. However, if the Sub-Committee was considering refusal of the licence, he asked that they consider the individual areas separately ie Areas C, D and E, Area A and Area B.

RESOLVED

- 1) That the amended application for a new premises licence, in respect of For a Space, Ground Floor, 71 Central Street EC1V 8BU, be granted to allow:-
 - a) The supply of alcohol, for consumption on and off the premises from 10:00 until 22:00 hours Monday to Sunday.
 - b) The premises to be open to the public from 10:00 until 22:00 Monday to Sunday.
- 2) That conditions detailed on pages 110 and 111 of the agenda be applied to the licence with the following additions:-
 - There will be table service in the area marked A.
 - Alcohol sales in the area marked B shall only be to members of Fora and their guests.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance, particularly paragraph 13.30, and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall under the Bunhill cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives. The Sub-Committee also noted policy 18 for the protection of amenity for residents.

The Sub-Committee was invited to consider the application in three parts, C D and E, B and A by the applicant's representative rather than reject the whole application.

The Sub-Committee was satisfied that granting a licence for areas C D and E, the internal meeting rooms, would be unlikely to add to the existing cumulative impact on the area on any of the licensing objectives.

The Sub-Committee noted that Area A, the restaurant, was to be a highly professional enterprise. The applicant suggested an additional condition of table service in Area A and the Sub-Committee was satisfied that the operating schedule, with the addition of the condition, demonstrated that there would be no negative impact on any of the licensing objectives if Area A was granted.

For Area B, the Sub-Committee considered that this area bore more resemblance to a bar than a café and noted the representation of residents that effectively the public would be entering both Area A and B by a single door. The Sub-Committee was concerned about the negative impact on the licensing objectives of noise and public nuisance given the close proximity of residential premises with children. However, the Sub-Committee was satisfied that the conditions in the operating schedule, with the additional restriction that alcohol should only be sold to members and guests, demonstrated that there would be no negative cumulative impact on any of the licensing objectives.

The Sub-Committee considered that the presumption of a special policy had been rebutted with the addition of conditions for Areas A and B.

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SIXTH FLOOR, KINGS PLACE, 90 YORK WAY, N1P 2AP - APPLICATION FOR NEW PREMISES LICENCE (Item B2)

The licensing officer informed the Sub-Committee that there were other licensed premises in the building.

No interested parties were present at the meeting. The applicant's representative said that he had emailed the residents in response to their representations but had received no reply.

The applicant reported that the balcony detailed in many of the representations was not their balcony. The applicant tabled a plan and showed the balcony position which was away from the edge. No licensable activities were intended on the balcony. The application was made to facilitate client hospitality. The sale of alcohol would take place between Boots and the caterer. There were no bars and no walk in for members of the public. Alcohol would be for employees only and their clients. Staff would mainly pay only at charity events. Lunch would be brought in. Champagne breakfasts were not yet needed but it was not something that they wanted to rule out. The sale of alcohol would be ancillary to the use of the premises as offices and they would agree for this to be conditioned. The terraces did not overlook the canal. There would be no entry for general public. They could operate without a licence but considered it better that the alcohol be licensed and under the control of a contract caterer. The caterer would charge Boots and that would be where the sale occurred.

The licensing officer reported that there were a number of premises that had the same arrangement. There were four licences in the building, one of which allowed the public in. It was considered that because of the style of the operation and the number of attendees, the premises would not add to the cumulative impact.

In summary, the applicant stated that there had been no objection from planning officers. He stated that planning had advised that A3/A4 use was for an operation from 08:00 and this operation did not fit into this type of use. It would be neater that the hours ran from 07:00 as this would fall in line with other Boots premises, however, he stated that, if this was a sticking point for the Sub-Committee he would accept 08:00 as a start time.

RESOLVED

- 1) That the application for a new premises licence, in respect of Sixth floor, Kings Place 90 York Way, N1 9AG, be granted to allow:-
 - a) The sale of alcohol, for consumption on and off the premises from 08:00 until 22:00 hours Monday to Sunday.
 - b) Opening hours to be 24 hours Monday to Sunday.
- 2) That conditions detailed on page 163 of the agenda shall be applied to the licence.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall under the Kings Cross cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

There had been no representations made by the responsible authorities. No residents attended the meeting and the Sub-Committee heard the application in their absence, taking their representations into account.

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 8.

The Sub-Committee noted that it appeared from the applicant's presentation that there may have been a misunderstanding about the area it was proposed to licence. The applicant's balcony did not overlook Battlebridge basin but was set back. There were no licensable activities intended on their balcony. No general public were allowed in the premises. The licence was necessary for the sale of alcohol between Boots and the contract caterer. The applicant's representative said that he had emailed the residents in response to their representations but had received no reply.

The Sub-Committee considered, for the avoidance of doubt given the planning situation and at the invitation of the applicant's representative, the starting hour was changed to 8am.

150

E MONO, 13 STROUD GREEN ROAD, N4 2AL - APPLICATION FOR NEW PREMISES LICENCE (Item B3)

The licensing officer reported that the premises were in a cumulative impact zone and there was a history of non-compliance.

The police informed the Sub-Committee that their position had changed since their representation had been submitted. As the area was busy they had wished to meet with the applicants who had also operated at 16 Station Place. It appeared that the premises at Station Place did not have a late night refreshment licence for three years. The applicant was informed by the police that a licence was required. The police visited the premises after 1am on the 1 October and found the premises in operation without a licence. He asked to speak to the manager. As soon as the manager arrived the police officer stated that there was a strong smell of an illegal substance. The staff continued operating until ordered not to do so by the police. He had no faith that they would adhere to the law and asked that the licence be refused.

The licensing authority agreed with the police. It was stated that licensing officers had met with the applicant and had discussed an end time of 01:00 am. The applicant was informed that he would need to close at 11pm until he obtained a licence. The premises had been found open at 1am even though they had been told to close at 11pm a few days before. They did not have faith in the applicant as he had a history of non-compliance. It was noted that they would be entitled to trade up until 11pm without a licence.

The applicant stated that his uncle owned the other premises at Station Place so he should not be blamed for not having a licence. The premises at Kentish Town were owned by his father's partner. He denied having any illegal substances on the 1 October as he was strongly against this. He was surprised the police did not speak to him about it at the time. The applicant had applied for a 3am licence but had negotiated with officers. Officers warned the applicant that they had no licence until the meeting. They had thought that they would get their licence. They did not want to sell after hours or to do anything illegal. They asked the Sub-Committee to give them a chance. They had been closing since the 1 October at 11pm. This was a very busy area where people wanted hot food. They would give people food to eat and then they would go home. From 8pm to 10pm it was quiet. For their business to thrive they needed later hours. It had been difficult with hours only up until 11pm.

In response to questions, the applicant stated that there was a dark spot behind the van where people could take illegal substances. He could not be responsible for this area and the police had not mentioned it at the time. He said that when he stayed open late he did not think it was licensed but it was a mistake on his behalf. The police stated that he was still serving despite them being there and the police officer had to call over to them to get them to stop. He knew the license had not been granted but thought as the application had been made it was ok. The applicant responded to a question about the licensing objectives. He stated that he did not have anything to do with the Station Place premises. His dad was his partner with these premises. His uncle ran Station Place. He had no knowledge of licensing law at the Kentish Town premises. He just dealt with cash and paying bills. The Kentish Town premises closed at 11pm.

In summary the police officer stated that when he arrived at the premises on the 1 October he told the applicant when he appeared that it smelt of cannabis. He stated he had evidence that the applicant had been involved at Station Place which had operated illegally up until 03:00am for three years. The applicant stated that this was a small take away. They were trying to stick to the rules. They had no complaints about crime. They were just trying to build a business and feed people.

RESOLVED

That the application for a new premises licence, in respect of E Mono, 13 Stroud Green Road, N4 2AL be refused.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee noted Licensing Policy 2 and that the premises fall within the Finsbury Park and Holloway Road cumulative impact area. Licensing policy 2 creates a rebuttable presumption that, applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

Representations had been made by the police and licensing authority. The Sub-Committee noted that the responsible authorities had visited the premises on the 1 October after 1am. They found the premises operating after hours when the licence had not yet been granted and the police had to ask the applicant to stop serving.

The Sub-Committee took into account licensing policy 10 regarding the applicant's commitment to high standards of management. The applicant had been given advice from the licensing authority and the police that he was acting illegally by operating after 11pm. He had failed to implement the advice that had been given and the Sub-Committee did not find convincing his explanation that he believed that the premises were licensed or that he had made a simple mistake about the hours. The policy states that the licensee should be able to understand verbal and written advice and legal requirements. The Sub-Committee noted that he had experience in the business of selling hot food and should have been aware of the requirements. He had not run his business lawfully to date and had failed to demonstrate a track record of compliance with legal requirements although the applicant emphasised repeatedly that he was not selling alcohol or encouraging anti-social behaviour. The Sub-Committee had no confidence that he would keep to whatever hours were granted bearing in mind his track record.

151

STROUD FOOD, 73 STROUD GREEN ROAD, N4 3EG - APPLICATION FOR NEW PREMISES LICENCE (Item B4)

The licensing officer reported that application was in a cumulative impact area. The premises had been described as an organic food store in the application.

The licensing authority reported that the premises were in a cumulative impact area with a number of similar premises in the locality. They raised concerns as to what would make this premises different to the others. They asked that the start time of the licence be moved to 9 or 10 am. They considered that as it was an organic store this should include alcoholic goods and the range of alcohol limited to organic craft beers, artisan spirits etc. They considered that the licence should run from 10am to 9pm.

The legal officer reported that the test of cumulative impact was that the saturation of premises in an area was such that any other premises were likely to impact on the area. There was a rebuttable presumption that applications would normally be refused or made subject to additional conditions unless the applicant could demonstrate in the operating schedule that the premises would not add to the cumulative impact.

The applicant's representative reported that these premises were a supermarket that sold organic products. Opening hours would be from 8am to 11pm. There was a detailed operating schedule and there had been no resident objections. The police had withdrawn their representation. 15% of the sales area was for alcohol and there would be no super strength beers sold as they would not be targeting street drinkers. The crime and disorder objective had been satisfied, the noise team were satisfied regarding public nuisance. With the conditions, they would not contribute to any problems. Regarding what the policy stated about a high level of alcohol related ambulance call outs between 11pm and 4am in that area, they were not applying to be licensed between those hours. The applicant agreed to a start time of 9am and considered that the licence should be granted.

In response to questions it was noted that the shop offered a wide range of products, not just organic but allowed other grocery types. Alcohol was not the mainstream of business and would only be stocked in 15% of the premises area. To restrict alcohol to organic only did not offer flexibility. Other premises would not have all of the conditions. This was the applicant's first application for a personal licence. He had worked in an off licence previously. His business partner would help him who had ten years experience. They would wish to sell organic wines and craft beers. Alcohol for sale would be limited and selected. This was not an off licence but a grocery store and was not alcohol led.

In summary, the licensing authority stated that it was pleased that a revised start time was agreed and asked that organic wine beer be conditioned to be a percentage of the alcohol stock. The applicant stated he would be willing to accept organic beers and wines as a percentage of stock. The licensing authority reported that this premises was similar to many others in the area. They asked that there be a later start time for the sale of alcohol and also considered that organic wines and beers should be offered to customers. The applicant, when it was explained to him in his own language, was agreeable to this.

RESOLVED

- 1) That the application for a new premises licence, in respect of Stroud Food, 73 Stroud Green Road N4 3EG be granted to allow:-
 - a) The supply of alcohol, off sales only, from 10:00 until 21:00 hours Monday to Sunday.
- 2) That conditions detailed on page 209/210 of the agenda be applied to the licence with the following addition.
 - That no less than 50 % of wines, beers or spirits offered for sale shall be labelled and/or described by the producer as bio dynamic, artisan or organic.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall under the Finsbury Park and Holloway Road cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

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The licensing authority reported that this premises was similar to many others in the area. They asked that there be a later start time for the sale of alcohol and also considered that organic wines and beers should be offered to customers. The applicant, when it was explained to him in his own language, was agreeable to this.

In accordance with licensing policy 2 and home office guidance 13.30, it appeared likely that the sale of alcohol could potentially impact negatively on the cumulative effect on the licensing objectives, given the proliferation of licensed premises, particularly off licences in the area. The Sub-Committee took into account that the premises were an organic fruit and vegetable store with a section of 15% display area for alcohol. The only representation received was from the licensing authority and the applicant was willing to accept the additional condition proposed. With that condition and a reduction in hours from those requested, the Sub-Committee concluded that there would be no negative impact on the licensing objectives.

The meeting ended at 9.30 pm

CHAIR

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Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	6 December 2016		Finsbury Park

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE VARIATION APPLICATION
GUNAY SUPERMARKET, 231 SEVEN SISTERS ROAD, LONDON, N4 2DA**

1. Synopsis

- 1.1 This is an application for the variation of a premise licence under the Licensing Act 2003.
- 1.2 The application is to extend:
 - a) The permitted times for the sale of alcohol, for consumption off the premises, to between 08:00 and 01:00, Sunday to Thursday, and between 08:00 and 02:00 on Friday and Saturday.
 - b) The opening hours to between 08:00 and 01:00, Sunday to Thursday, and between 08:00 and 02:00 on Friday and Saturday.
- 1.3 The premises is currently licensed to:
 - a) Sell alcohol, for consumption off the premises, between 11:00 and 23:00, Sunday to Saturday.
 - b) Open between 08:00 and 00:00, Sunday to Saturday.

2. Relevant Representations

Licensing Authority	Yes
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Metropolitan Police	Yes
Noise	No
Health and Safety	No
Trading Standards	No
Public Health	Yes
Safeguarding Children	No
London Fire Brigade	No
Planning	No
Local residents	No
Other bodies	No

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form, including current licence;
- Appendix 2: representations;
- Appendix 3: map of premises location.

3.2 The licensee was first granted a licence for these premises by the Licensing Sub-Committee on 15 December 2011. There was a subsequent variation application for extension of hours refused by Licensing Sub- Committee on 10 March 2012.

3.3 The premises was found trading after hours on Saturday 23 January 2016. In addition when officers requested the CCTV as required by the premises licence. These images were not provided which was an additional breach of the licence conditions for the premises.

3.4 The premise is located in the Finsbury Park Cumulative Impact Policy Area.

3.5 The applicant has proposed no additional measures in their operating schedule to promote the licensing objectives.

4. Planning Implications

4.1 Planning has reported that they have no objections to the application.

5 Recommendations

5.1 To determine the application for a variation of the premises licence under Section 34 of the Licensing Act 2003.

5.2 To consider that this address is in a Saturation or "Cumulative Impact Policy" of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing

cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

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

- i. conditions of the existing premises (see appendix 1).
- ii. 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 as appropriate to promote the licensing objectives.

Background papers:

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

Final Report Clearance



Signed by

Service Director – Public Protection

Date 25/11/2017

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

2190

Application to vary a premises licence 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 **Mr MEHMET KAYA**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN13425-240413

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description FINSBURY SUPERMARKET 231 SEVEN SISTERS ROAD			
Post town	LONDON	Postcode	N4 2DA
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 15,250	

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐ No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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

(Please see guidance note 1) ☐ Yes

☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- VARIATION OF RETAIL OF ALCOHOL HOURS

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

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

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

☐

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 6)		
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Thur						
Fri			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 6)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
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 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sun				

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
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 6)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	08:00	01:00			
Tue	08:00	01:00			
Wed	08:00	01:00			
Thur	08:00	01:00			
Fri	08:00	02:00			
Sat	08:00	02:00			
Sun	08:00	01:00	<u>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</u> (please read guidance note 6)		

K

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 9). N/A
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) NONE
Day	Start	Finish	
Mon	08:00	01:00	
Tue	08:00	01:00	
Wed	08:00	01:00	
Thur	08:00	01:00	
Fri	08:00	02:00	
Sat	08:00	02:00	
Sun	08:00	01:00	Non standard timings. Where you intend 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 6)

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

N/A

Please tick as appropriate

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

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- STAFF TO BE TRAINED REGULARLY ON LICENSING PROVISIONS AND THIS TO BE DOCUMENTED.

b) The prevention of crime and disorder

- ALL INSTANCES OF CRIME AND DISORDER SHALL BE REPORTED TO THE POLICE.

- AN INCIDENT BOOK SHALL BE USED TO RECORD ALL INSTANCES OF PUBLIC DISORDER.

- CCTV SHALL BE INSTALLED, OPERATED AND MAINTAINED IN AGREEMENT WITH THE POLICE. THE SYSTEM WILL ENABLE FRONTAL IDENTIFICATION OF EVERY PERSON ENTERING THE PREMISES. THE SYSTEM SHALL RECORD IN REAL TIME AND OPERATE WHILST THE PREMISES ARE OPEN FOR LICENSABLE ACTIVITIES. THE RECORDINGS SHALL BE KEPT AVAILABLE FOR A MINIMUM OF 31 DAYS. RECORDINGS SHALL BE MADE AVAILABLE TO AN AUTHORISED OFFICER OR A POLICE OFFICER (SUBJECT TO THE DATA PROTECTION ACT 1998) WITHIN 24 HRS OF ANY REQUEST.

c) Public safety

- TO COMPLY WITH THE FIRE REGULATIONS AND THE PROVISIONS OF THE MANAGEMENT REGULATIONS.

- MAINTAIN AND CHECK SYSTEMS IN PLACE, SMOKE DETECTORS, FIRE EXTINGUISHERS, EMERGENCY SAFETY LIGHTING AND FIRE ALARMS.

d) The prevention of public nuisance

DISCOURAGE NOISE FROM PATRONS ARRIVING AT, QUEUING OR DEPARTING FROM THE PREMISES BY DISPLAYING POLITE NOTICES FOR CUSTOMERS' ATTENTION.

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	Mr A. AY
Date	10/10/2016
Capacity	AGENT

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

MR A. AY
ANVA
PO BOX 1827

Post town	ILFORD	Post code	IG2 7WJ
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Telephone number (if any)	07710942923
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
INFO@A-ANVA.CO.UK

Notes for Guidance

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.

1. 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.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please 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.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please 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 or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.



PREMISES LICENCE LICENSING ACT 2003

Premises licence number	LN13425-051013		
Postal address of premises, or if none, ordnance survey map reference or description FINSBURY SUPERMARKET 231 SEVEN SISTERS ROAD			
Post town	LONDON	Post code	N4 2DA
Telephone number			

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
Monday	08:00	to	23:00																												
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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																												

Gaming Machine Provision: Not applicable
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The opening hours of the premises:			
Monday	08:00	to	00:00
Tuesday	08:00	to	00:00
Wednesday	08:00	to	00:00
Thursday	08:00	to	00:00
Friday	08:00	to	00:00
Saturday	08:00	to	00:00
Sunday	08:00	to	00:00

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

Mustafa Gunay
231 Seven Sisters Road
London
N4 2DA
0207 272 2746

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

Not applicable

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

Mr Yilmaz Kaya



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

LN/000008436 – London Borough of Haringey

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

Service Director - Public Protection

Date of Issue

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions consistent with the Operating Schedule

1. CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the front of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 30 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer (subject to the Data Protection Act 1998) within 24 hours of any request.
2. Appropriate fire safety procedures are in place along with appliances including the fire extinguishers (foam, CO2 and CO2), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.
3. All escape routes will be clearly marked and kept free from obstruction at all times.
4. All customers shall be reminded by way of signs displayed at the exit to leave the premises quietly.
5. The premises shall not be used under the licence until the requirements specified in the schedule dated 7 November 2011 have been completed and approved in writing by the responsible authority for health and public safety.
6. No deliveries will take place on Sundays or Bank holidays and between the hours of 10pm and 7am on other days of the week.
7. No rubbish including bottles will be moved removed or placed in outside areas on Sunday or Bank Holidays and between the hours of 10pm and 7am on other days of the week.
8. Customers of the premises shall encouraged by signs within the premises prominently displayed at the exit, to leave the premises quietly.
9. The sale of alcohol hours are reduced to 0800 - 2300 daily.
10. An Incident book will be maintained and checked and signed weekly by the DPS.
9. No alcoholic goods will ever be purchased from sellers calling to the shop.
10. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
11. No spirits in re-sealed cases will be purchased.
12. Invoices (or copies) for all alcoholic goods on the premises will be kept at the shop and made available to officers from the council, police or HMRC upon request.
13. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.

14. 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.
15. If any spirits bought by the company 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 and HMRC as soon as possible.
16. The licensee shall adopt the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
17. 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 licensee shall keep records of training and instruction given to staff.
18. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards for example 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.
19. 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 by the licensing team, police or trading standards.

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

Annex 4 – Plans

Reference Number: E190410



Premises Licence Summary

Licensing Act 2003

Premises licence number	LN13425-051013		
Postal address of premises, or if none, ordnance survey map reference or description FINSBURY SUPERMARKET 231 SEVEN SISTERS ROAD			
Post town	LONDON	Post code	N4 2DA
Telephone number			

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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Saturday	08:00	to	23:00																												
Sunday	08:00	to	23:00																												

Gaming Machine Provision: Not applicable
--

The opening hours of the premises:			
Monday	08:00	to	00:00
Tuesday	08:00	to	00:00
Wednesday	08:00	to	00:00
Thursday	08:00	to	00:00
Friday	08:00	to	00:00
Saturday	08:00	to	00:00
Sunday	08:00	to	00:00

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

Mustafa Gunay
231 Seven Sisters Road
London
N4 2DA

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

Not applicable

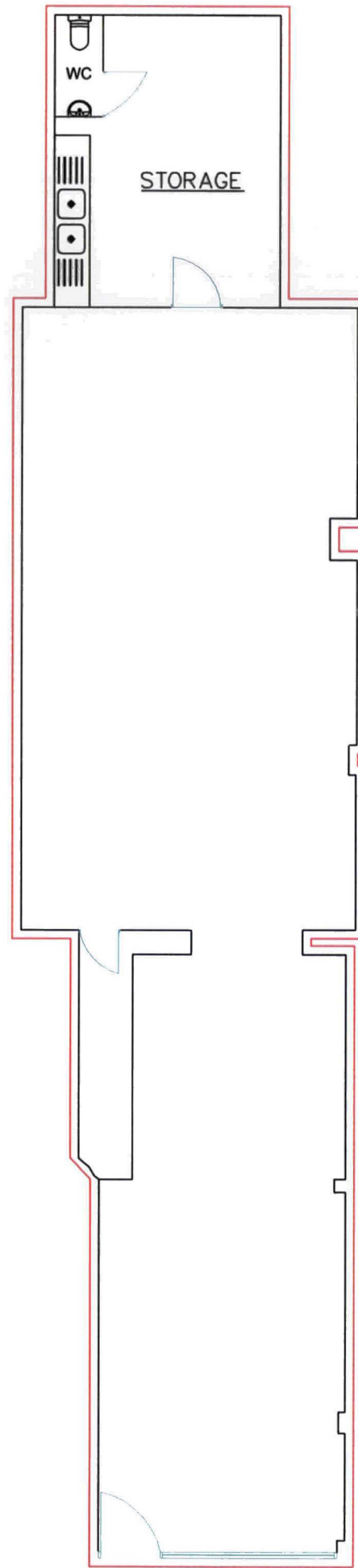
Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Yilmaz Kaya

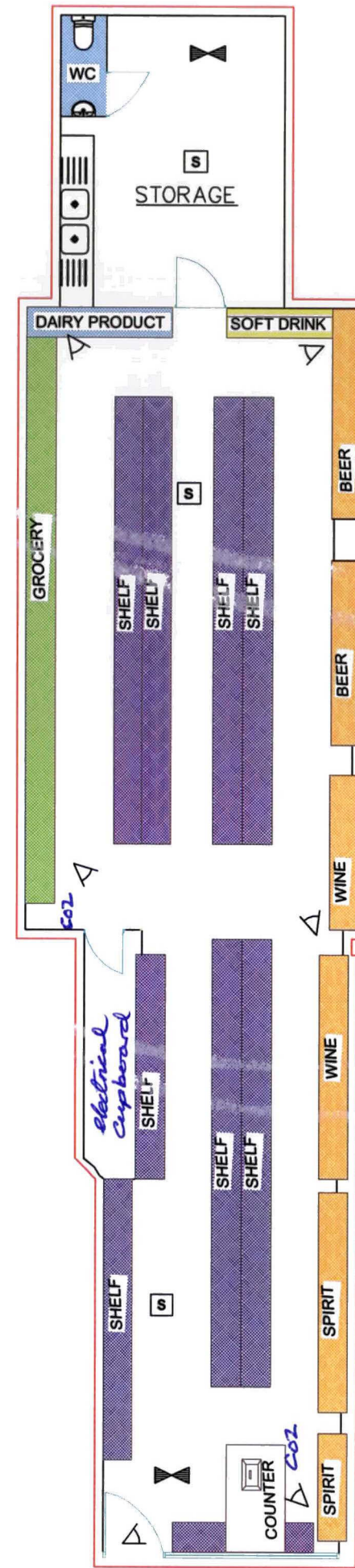
State whether access to the premises by children is restricted or prohibited

No restrictions

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



EXISTIG GROUD FLOOR



PROPOSED GROUND FLOOR

LEGEND

- SHELF
- WC AREA
- ALCOHOL FRIDGES
- SOFT DRINK
- GROCERY
- DAIRY PRODUCT
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV

231
SEVEN SISTER ROAD
N4 2DA
FINSBURY PARK

**PROPOSED
GROUND FLOOR**

SCALE : 1/100@A3 DATE : 7/10/2011

REF. NO : E190410

ACT 2003
55 Stoke Newington
High Street
LONDON
Tel : 020 8090 0376
www.narts.org.uk

Licensing Authority Representation: Licensing Act 2003**Application: 231 Seven Sisters Road. N4 2DA**

I am submitting a representation on behalf of the Licensing Authority with respect to the variation application for the above premises to extend the hours for sales of alcohol:

- From 8am to 11pm Monday to Sunday to 8am, to 1am Sunday to Thursday and 8am to 2am Friday and Saturday

The grounds for the representation are:

- Public nuisance
- Crime and disorder

Licensing Policy Considerations

Licensing Policies 1 & 2

Location, cumulative impact and saturation

Licensing Policies 4

Off sales

Licensing Policies 7&8

Licensing Hours

Licensing Policies 10

Commitment to high standards of management

Issues of Concern

1. The premises are located within the Finsbury Park Cumulative Impact policy area. The onus is on the applicant to demonstrate that these premises will not add to the cumulative impact. The applicant has not done this in the operating schedule. There are a high number of licensed premises in the vicinity and it is our opinion that the proposed application will add to the cumulative impact.
2. The premises currently operate within the Council's framework hours. Extending these hours would add to the impact on the emergency services and local residents.
3. The licensing authority receives regular complaints from local residents and businesses about anti-social behaviour emanating from late night premises in the area. Licensing officers regularly visit the area and have worked with local licensed operators to minimise the impact their businesses have on the local environment, for example through the successful introduction of the "reduce the strength" campaign. There is a specific concern about the impact of street drinking in the area.
4. In 2015 Licensing and Trading Standards received complaints that the premises was selling alcohol after hours and selling to under age customers. In December 2015 and January 2016 licensing officers witnessed the sale of alcohol out of permitted hours, several licence conditions not being complied with and the CCTV was not working. Mr Mustafa Gunay and Mr Yilmaz Kaya were the licence holder and DPS at that time.
5. The current DPS is Mr Yilmaz Kaya who was DPS on 6.1.12 when there was unauthorised sales of alcohol at the premises, breach of conditions, alcohol was ordered to be removed from the premises and he was invited to an interview and received verbal and written warnings.

Recommendation

In order to promote the licensing objectives it is recommended that this application is refused unless the applicant is able to demonstrate compliance with licence conditions, high standards of management and a rebuttal of the Council Licensing Policy.

These premises are located in the Holloway and Finsbury Park Cumulative Impact Area therefore the Licensing Committee will need to consider Licensing Policy 2, which states that there is a presumption of refusal unless the Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.

Terrie lane

Licensing Manager

Public Protection Division

14 November 2016

Licensing Act 2003**Representation from Islington Public Health department on behalf of health bodies providing services in Islington****FINSBURY SUPERMARKET, 231 SEVEN SISTERS ROAD, LONDON, N4 2DA**

We are submitting a representation in response to the application for a variation in the licence for the above premise, which would see an increase in the hours permitted for the sale of alcohol. Specifically, the premise has applied to vary the sale of alcohol to 1am on Sunday-Thursday and 2am Friday-Saturday, which takes the hours of operation outside of the framework hours specified within Islington's licensing policy. This representation is on behalf of Islington's Public Health Department, which is a responsible authority.

The impact of alcohol is particularly great in Islington with some of the greatest levels of alcohol-related problems in London, including:

- the highest rate of alcohol-specific hospital admissions in London in 2014/14,
- and the second highest rate of claimants of incapacity benefit where the main medical reason for being a claimant is alcoholism compared in London in 2015.

The premise is located on Seven Sisters Road, which is located in the Finsbury Park ward. The location is within the Finsbury Park/Holloway Road Cumulative Impact Area, described in Islington's Licensing Policy 2013-2017. The area already experiences significant alcohol-related harm, as described below.

The grounds for the representation are:

- public safety,
- the prevention of crime and disorder, and
- the prevention of public nuisance.

The relevant policies in Islington's Licensing Policy

- Policy 2: Cumulative impact and saturation
- Policy 4: Shops selling alcohol
- Policy 7: Licensing hours

We are concerned that if this application to extend the opening hours is granted, it will increase the availability of alcohol for consumption off premise. This could lead to an increase in public nuisance, crime and disorder and impact adversely on health of both those buying and consuming the alcohol, as well as the health of others who come in contact with them.

This premise would add to the impact of existing licenced premises in an area which already has high density of premises. At the time of writing this representation, there were 12 off licences within a 250m¹ walk of the premise. Additional outlets supplying alcohol will be detrimental to the local residents in terms of noise and disturbance, anti-social behaviour and crime.

Impact of alcohol on health in Islington

The impact of alcohol on health in Islington is particularly severe. Alcohol misuse imposes a major preventable burden to health and the effect of this is felt across all health services in Islington.

There is a growing body of evidence that an increased number of alcohol outlets results in significant increases in both alcohol consumption and alcohol-related harm, including injury, violence and medical harm. Evidence from a number of countries indicates reducing alcohol outlet density can have an impact on reducing violence and problem drinking. There is also evidence that changes in hours or

¹ Distances calculated using www.walkit.com/london

days of trading can have a significant impact on volume of alcohol consumed and rates of alcohol related problems.²³⁴⁵⁶

Harm from alcohol in the vicinity of Finsbury Supermarket

Ambulance callouts

The data on alcohol-related ambulance callouts reflect where the ambulance attended, not where the individual lives, and therefore includes people who live outside the borough but who come into Islington to work, socialise, and require an ambulance whilst within the borough. Alcohol related ambulance call-outs highlight the immediate harms of alcohol on health and thus the risk to physical safety that alcohol causes. The London Ambulance Service records the callout at Lower Super Output Area (LSOA) level, a geographical area in which an average 1,500 residents live. The LSOA in which Finsbury Supermarket is located (E01002734), experienced 60 alcohol-related ambulance callouts in 2014/15, which compares to an average of 21 across LSOAs in Islington. This was the seventh highest number of alcohol-related callouts among Islington's LSOAs. In the area within a 250 m radius of this off license, there were 17 alcohol related ambulance callouts in 2014/15. An alcohol-related ambulance call-out is an indicator that public safety has been compromised by alcohol and many are related to crime and disorder. Local analysis shows a general trend that ambulance callouts increase as the number of licensed premises increases.

Conclusion

Islington experiences some of the highest levels of alcohol-related harm in London and the cumulative availability of alcohol is one area that is likely to be impacting on this.

There is already good availability of alcohol in the area around Finsbury Supermarket. There is evidence that increased availability of alcohol, both in terms of the time period in which alcohol is available (hours of sale) and number of premises from which alcohol is available, results in an increase in alcohol-related harm. One effect of this is increased pressure and costs to the NHS. The impacts are also felt across a range of groups including the Council, policing and the community as a whole.

Recommendation

Islington's Public Health Department recommends that the application for a licence variation related to the extension of hours to supply alcohol at Finsbury Supermarket 231 Seven Sisters Road N4 2DA is refused on the grounds that there is already sufficient supply in an area that is already experiencing high levels of alcohol-related harm.

² Popova, S., Giesbrecht, N., Bekmuradov, D. And Patra, J. Hours and days of sale and density of alcohol outlets: impact on alcohol consumption and damage: a systematic review. *Alcohol and alcoholism* 2009;44(5):500-516

³ Newton, A., Sarker, S.J., Pahal, G.S., van den Burgh, E. and Young, C. Impact of the new licensing law on emergency hospital attendances: a cohort study. *Emergency Medicine Journal* 2007;24:532-534

⁴ Hughes K, Jones L, Bellis M. Reducing harm in drinking environments factsheet. European Union 2009.

⁵ Livingstone M. et al. Changing the density of alcohol outlets to reduce alcohol related harm. *Drug and Alcohol Review* 2007; 26: 557-566

⁶ Bryden A et al. A systematic review of the influence on alcohol use of community level availability and marketing of alcohol. *Health and Place* 2012; 18(4): 789-800

Your

Our Licensing/NI

Date: 15/11/2016



**METROPOLITAN POLICE
SERVICE**

Licensing Team

Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY

Telephone: 07799133204

Facsimile:

Email:

licensingpolice@islington.gov.uk

Mr Mehmet KAYA
231 Seven Sisters Road
London
N4 2DA

Dear Sir

Re: Application to Vary a Premises Licence; 231 Seven Sisters Road, N4 2DA – Gunay Supermarket

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.

The venue is situated in the designated 'Finsbury Park/Holloway Road Cumulative Impact Area'; a locality where there is traditionally high crime and disorder. There are over 35 licensed premises within a 250m radius of your proposed venue. 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.

The applicant is requesting varying their licensable hours from a midnight closure seven days a week to opening until 0100 hours Sunday to Thursday and until 0200 hours on a Friday and Saturday. The venue currently operates within the policy framework hours, to extend this we believe would exacerbate the issues emergency services already deal with on a regular basis in the area.

Further to this, there is no mention in the application how they would not add to the cumulative impact, and have offered no additional or tightening of conditions.

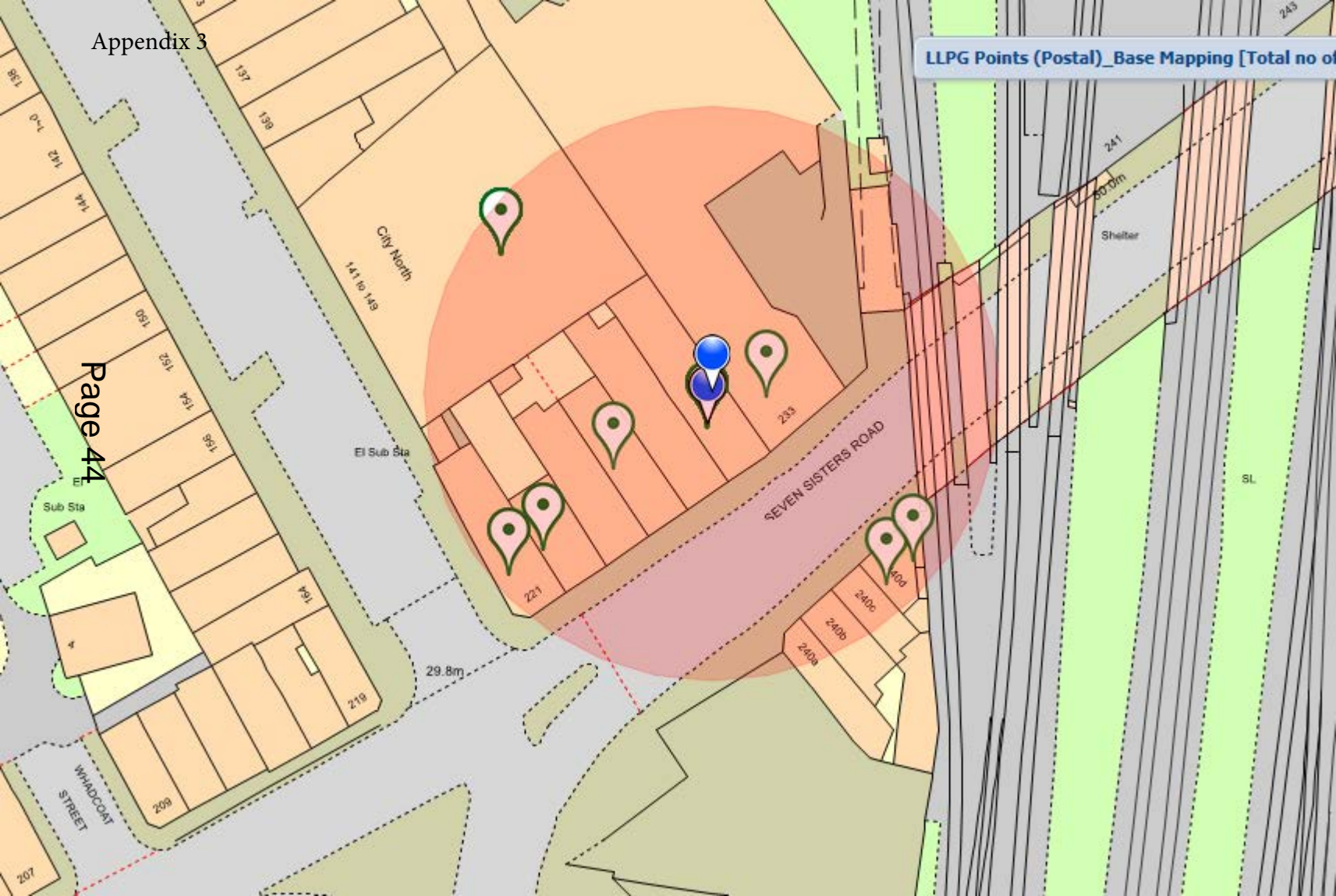
I have also emailed the applicants agent requiring urgent proof of the applicants date of birth and home address – I have as yet not had a reply.

It is for all 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 us on Mobile 07799133204 or via email, licensingpolice@islington.gov.uk

Peter Conisbee Pc 575NI
Steven Harrington Pc 425NI
Ben Chadwick Pc292NI

Islington Police Licensing Team





Environment & Regeneration
Municipal Office, 222 Upper Street, London, N1 1XR

Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	6 December 2016		Hillrise

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE TRANSFER APPLICATION
RE:NISA LOCAL, 89-91 HOLLAND WALK, LONDON N19 3XU

1. Synopsis

- 1.1 The Police have objected to the applications by the Buluthan Kartal to transfer of the premise licence to his name under the Licensing Act 2003. The Police are the only responsible authority entitled to object to transfer and DPS variation applications.

2. Background

3.1 Papers are attached as follows:-

- Appendix 1: transfer application form;
- Appendix 2: Current Premises Licence
- Appendix 3: Police representations;
- Appendix 4: Licensing Warning Letter 8 July 2016;
- Appendix 5: Trading Standards invitation to interview under caution following seizure of illicit alcohol 21 July 2016;
- Appendix 6: Letter from previous licensee MHAK Management Ltd 29 September 2016;
- Appendix 7: Documents submitted by applicant. Rental Agreement, Compliance Check and photos from Compliance Check.
- Appendix 8: Email from Applicant dated 5 November 2016

Appendix 9: map of premise location

- 3.2 The premises is licenced for the sale of alcohol for consumption off of the premises from 10:00 to 23:00 Monday to Saturday and from 10:00 to 22:30 on Sunday. This premises licence was granted in August 2015. Prior to that the premises was licenced for the sale of alcohol but the licence was revoked in March 2012 following a review by Trading Standards for illicit alcohol and a sale of alcohol to an underage test purchaser.
- 3.3 The previous licensee (MHAK Management Ltd) is currently subject to an investigation following breaches of the premises licence conditions, seizure of illicit alcohol and a sale of alcohol to an underage test purchaser. Details of the reasons for the investigation are set out in the Annex 5 & 6.
- 3.4 On 13 September 2016 MHAK Management Ltd declined to be interviewed under caution through their agent, NARTS. They were invited by Trading Standards to submit written submissions by 30 September 2016. None have been received. However a letter was sent on 29 September by MHAK Management Ltd, nine days after the transfer and DPS variation applications were received, informing the Council that staff had been dismissed and they were selling the business.
- 3.5 The applicant has worked at the premises for the previous licensee since at least 19 December 2015 and has been present during all three joint visits with Licensing and Trading Standards on 6 July 2016, 13 July 2016 and 17 August 2016. On 13 July 2016 the applicant was spoken to on the phone with the Licensing Officer and he was asked who the DPS was and Mr Kartal said that he did not know and was not working and was, "Only helping out".
- 3.6 23 August 2016 a sale of alcohol was made to an underage test purchaser during a Trading Standards operation.
- 3.7 On 28 September 2016 the premises was visited again by Licensing, Trading Standards and the Licensing Police. The applicant was present. The CCTV had only 17 days of footage (contrary to Annex 2 Condition 21). This was the fourth visit since 6 July 2016 to find that the CCTV was not compliant with the condition on the premises licence. The applicant stated that it had been fixed a week before and showed officers an invoice dated 14 September 2016. The invoice for the CCTV was to MHAK Management. When asked for evidence of the sale of the premises the applicant stated that the price had not been agreed and they didn't have anything in writing.
- 3.8 On 25 October 2016 a previous transfer and DPSV application that the Police objected to was to be determined by the LSC. The documents submitted by the applicant on the day of the hearing include: rental agreement, compliance check and photos from compliance check. The applications were withdrawn before the hearing in agreement with the Police.
- 3.9 On 2 November 2016 the Police, Licensing and Trading Standards officers visited the premises to discuss with the applicants the transfer application. At this meeting a request was made for evidence of the sale of the business to the applicants. To date only an email from the previous DPS has been received. Further evidence has been requested but not received.
- 3.10 It should be noted that the Licensing Officer has been told that the solicitors, Morgan Has, and the licensing agent, NARTS, represent both the current licensee MHAK Management Ltd and the applicant Buluthan Kartal. Emails have been sent by the Licensing Officer to both Morgan Has and NARTS asking for conformation of this but at the date of the writing of this report no reply has been received.

3. Recommendations

- 2.1 To determine the application to transfer the premises licence under Section 42 of the Licensing Act 2003.

4. Conclusion and reasons for recommendations

- 4.1 The Council is required to consider this application in the light of all relevant information.

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

25.11.16
Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020-7527-3031

E-mail: licensing@islington.gov.uk

* required information

Section 1 of 6

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

Not Currently In Use

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

Your reference

Nisa

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

Mr Buluthan

* Family name

Kartal

* E-mail

licensing@narts.org.uk

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

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

☒ Applying as an individual

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

Continued from previous page...

Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="Miss Yuksel"/>	
* Family name	<input type="text" value="Uyran"/>	
* E-mail	<input type="text" value="licensing@narts.org.uk"/>	
Main telephone number	<input type="text" value="02072413636"/>	Include country code.
Other telephone number	<input type="text"/>	

☒ 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	<input type="text" value="10041572"/>
* Business name	<input type="text" value="NARTS FOOD & LEISURE LIMITED"/>
* VAT number	<input type="text" value="- none"/>
* Legal status	<input type="text" value="Private Limited Company"/>
* Your position in the business	<input type="text" value="Licensing Consultant"/>

If your business is registered, use its registered name.

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

Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
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Continued from previous page...

Agent 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 6

PREMISES DETAILS

I/we, as named in section 1, apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in section 2 below.

Premises Licence

* Premise licence number

Name Of Current Premises Licence Holder

* Name

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Please give a brief description of the premises

Supermarket and offlicence

Continued from previous page...

Telephone number at the premises if any

Section 3 of 6

APPLICATION DETAILS

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

- ☒ 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)

Please 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 6

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Mr Buluthan

Family name

Kartal

Continued from previous page...

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="11"/>
Street	<input type="text" value="Harleston Close"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="E5 9NH"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="licensing@narts.org.uk"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
<input type="button" value="Add another applicant"/>	

Section 5 of 6

FURTHER INFORMATION

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

☒ Yes ☐ No

Do you wish the transfer to have immediate effect?

☒ Yes ☐ No

Have you attached the consent form signed by the existing premises licence holder?

☒ Yes ☐ No

Continued from previous page...

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

☒ Yes ☐ No

Have you attached the previous licence?

☐ Yes ☒ No

Please enter your reasons

Premise Licence is lost. However we have summary of the licence on the display at the premise. We will send a fee if requested for the loss copy of the Premise Licence.

Section 6 of 6

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.

This formality requires a fixed fee of £23

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

Full name

Capacity

* Date / /
dd mm yyyy

[Remove this signatory](#)

[Add another signatory](#)

**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/15499-040815	Date of original grant*	4 August 2015
--------------------------------	------------------------	--------------------------------	----------------------

**An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

Postal address of premises, or if none, ordnance survey map reference or description 89-91 HOLLAND WALK			
Post town	London	Post code	N19 3XU
Telephone number			

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>10:00</td><td>to</td><td>23:00</td></tr><tr><td>Tuesday</td><td>10:00</td><td>to</td><td>23:00</td></tr><tr><td>Wednesday</td><td>10:00</td><td>to</td><td>23:00</td></tr><tr><td>Thursday</td><td>10:00</td><td>to</td><td>23:00</td></tr><tr><td>Friday</td><td>10:00</td><td>to</td><td>23:00</td></tr><tr><td>Saturday</td><td>10:00</td><td>to</td><td>23:00</td></tr><tr><td>Sunday</td><td>10:00</td><td>to</td><td>22:30</td></tr></table>				Monday	10:00	to	23:00	Tuesday	10:00	to	23:00	Wednesday	10:00	to	23:00	Thursday	10:00	to	23:00	Friday	10:00	to	23:00	Saturday	10:00	to	23:00	Sunday	10:00	to	22:30
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Friday	10:00	to	23:00																												
Saturday	10:00	to	23:00																												
Sunday	10:00	to	22:30																												

The opening hours of the premises:			
Monday	07:00	to	23:00
Tuesday	07:00	to	23:00
Wednesday	07:00	to	23:00
Thursday	07:00	to	23:00
Friday	07:00	to	23:00
Saturday	07:00	to	23:00
Sunday	07:00	to	22:30

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

MHAK Management Ltd
Unit1, Bellfleur Crescent
Red Lodge, Bury Lodge
Bury St Edmonds
Surrey IP28 8XQ

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

08615641

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

Ibrahim Has

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

LBH-PER-N-0255 – LB Hackney

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


Service Manager (Commercial)

10/9/15
Date of Issue

Annex 1 - Mandatory conditions

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

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

Annex 2 - Conditions consistent with the Operating Schedule

1. The store shall be managed and manned by trained members of staff.
2. Underage prosecution signs shall be clearly displayed and visible within the store at the point of sale.
3. A till prompt shall be used to ask staff to carry out proof of age checks on items that are age restricted.
4. The Nisa Group shall carry out random checks by the area manager and mystery customers visits to check internal systems and ensure that the store and staff are fully up to date and weaknesses are highlighted where relevant.
5. The "Challenge 25" policy shall be fully integrated into the store and staff training manuals.
6. People suspected of purchasing alcohol for under age children shall be banned from the store.
7. Fire exits and relevant signage shall be clearly displayed and visible.
8. Staff shall be given induction training in cases of fire hazards and public assembly points shall be allocated in case of emergency.
9. A fully operational first aid kit shall be kept on site at all times.
10. Loitering outside the store shall be banned to prevent noise and general nuisance.
11. All members of staff shall be trained and retrained at periodical refresher training sessions.
12. No spirits shall be purchased in a resealed box, without thorough checks being made to ensure it is legal to sell.
13. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
14. 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.
15. 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.

16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.
22. No high strength beer, lager or cider of 6.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 or above per 500ml.
23. The premises shall have a panic button directly linked to the local Police station.

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

1. A personal licence holder shall be on site at all times during the hours permitted for the sale of alcohol.

Annex 4 – Plans

Reference Number: 201586732 Date: 18/05/2015

Your Premises Transfer
Our Licensing/NI
Date: 08/11/2016



**METROPOLITAN POLICE
SERVICE**

Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY

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

8th November 2016

Nisa Local

**89-91 Holland Walk
LONDON
N19 3XU**

Dear Sir

Re: Premises Transfer, Nisa Local 89-91 Hollands Walk N19.

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.

Police have made a number of attempts as to the validity of the lawful purchase of these premises by the applicant. This is to ensure a thorough and transparent operation is in place at the venue. The premises were visited by me on Wednesday the 2nd November 2016. At this meeting I requested evidence of the lawful purchase of the property. This could be by way of contract or other documentation in the applicant's name. I sent a follow up message on Monday the 7th November re-emphasising the need for these documents and giving a deadline of 1200hrs on the 8th November 2016. As of 1600hrs today I have received no communications from the applicant. This includes any rationale as to not being able to produce evidence of his purchase of the property.

At this stage the police position on this application is that we need to be fully satisfied, that the applicant has sole responsibility as to the running of the premises and is not simply a front for any other business/owner. The reason the Metropolitan Police have a vested interest in this, is that this venue has a chequered past and we want to ensure that any licensee at the venue is fully accountable in the business that they are undertaking.

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

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



ISLINGTON

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

MHAK Management Ltd
Unit1, Bellfleur Crescent
Red Lodge, Bury Lodge
Bury St Edmonds
Surrey IP28 8XQ

T 020 7527 3882
F 020 7527 3057
E katie.tomashevski@islington.gov.uk
W www.islington.gov.uk

This matter is being dealt with by:
Katie Tomashevski

Our ref: WK/16002115
Your ref:

Date: 8 July 2016

Dear Sirs,

LICENSING ACT 2003 - WARNING LETTER

NISA, 89-91 HOLLAND WALK, LONDON N19 3XU

I am writing to you, as the licensee for the above premises, regarding a visit made by Council Officers to the premises on 6 July 2016 at 10:50 where they found the premises open and using the premises licence. During the visit the Licensing Officer spoke to Zerdest Zagrosi.

There were a number of issues that I would like to bring to your attention:

- 1 The Licensing Officer noted that the time on the monitor for the CCTV was an hour out. When we asked Mr Zagrosi to show us footage from 7 June 2016, he was unable to do so. It seems that the earliest footage available was from 30 June and not the required 31 days. Both of these issues are a breach of Annex 2 Condition 21.
- 2 We asked to see the refusal log book Mr Zagrosi informed us that refusals were kept electronically but he could not produce a record for us to inspect. This is a breach of Annex 2 Condition 20.
- 3 We asked to see the ultra-violet light to check the UK Duty Stamp on spirits as required by Annex 2 Condition 15 and were told that one was not available.
- 4 The fire exit was not with relevant signage and clearly displayed or visible. This is a breach of Annex 2 Condition 7. It was also noted that there were no fire extinguishers at the premises and the fire alarm (break glass) was not properly labelled. Please supply a copy of the fire risk assessment to this office by 14 July at mid-day.
- 5 We asked to see the training records as required by Annex 2 Condition 18 and were told that all the training records for staff were kept at head office. Please supply a copy of the details of training for your staff by 14 July at mid-day.
- 6 The Trading Standards officer requested invoices for the wine that was on sale for two 750cl bottles for £5. We were told that invoices were kept at head office and none were available at the premises. This is a breach of Annex 2 Condition 14 as it is required to keep the documents or copies of them on the premises.

- 7 When questioned neither Mr Zagrosi nor Mr Kartal have a personal licence. This is a breach of Annex 3 Condition 1.
- 8 We did not ask to see the panic button directly linked to the local police station as required by Annex 2 Condition 23 so ask that you supply us with the details of the provider and records for this service by 14 July at mid-day.

You will be aware that prior to the grant of this premises licence there were a number of issues with previous licensees and the licence was revoked. You assured our Licensing Sub Committee that the premises would be properly run. We expect that the breaches of the licence to be rectified in

As the licensee at the premises, you are liable for prosecution if the premises continue to contravene current licence. A person found guilty of such an offence is liable to a maximum fine of £20,000 and or 6 months imprisonment. Any future breaches could result in the Council instigating legal proceedings or review the licence.

Please be aware that following this unsatisfactory visit the premises will continued to be monitored for compliance.

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

Yours sincerely



Katie Tomashevski
Licensing Officer



ISLINGTON

Trading Standards Service
Public Protection Division
222 Upper Street
London N1 1XR

Tel : 020 7527 3874
E-mail : doug.love@islington.gov.uk
W www.islington.gov.uk

Date: 21/07/16

MHAK Management Ltd
Unit1, Bellfleur Crescent
Red Lodge, Bury Lodge
Bury St Edmonds
Surrey
IP28 8XQ

Dear Sirs,

RE: NISA, 89 HOLLAND WALK, N19 3XU
LICENSING ACT 2003
CONSUMER PROTECTION from UNFAIR TRADING REGULATIONS 2008

I am writing to invite you to attend an interview after enforcement visits by Katie Tomashevski of Licensing and myself on 6th July 13th July 2016.

At the first visit, breaches of premises licence conditions were noted and a request for invoice for certain items was made. Ms Tomashevski wrote to you on 8th July in regard to this visit.

At the second visit, I seized a number of bottles of Italian wine, which I believe to be non-duty paid. Further breaches of premises licence conditions were noted.

Ms Tomashevski and I are disappointed that no-one from the company has contacted us about these matters, particularly given the discussions we had prior to the licence being granted.

Consequently, we are inviting you to attend a PACE interview, as we wish to ask you questions about the above matters.

- Failures to comply with premises licence conditions are evidence of an offence under section 136 (1) the **Licensing Act 2003**.
- The **Consumer Protection from Unfair Trading Regulations 2008**. Schedule 1, unfair commercial practice 9, prohibits creating the impression a product is legal to sell when it is not. Displaying non-duty paid goods creates the impression that they are legal to sell, when they are not, so is an offence under section 12.
- Any interview will be take place at these offices
- The interview will comply with the PACE codes of practice
- You will be cautioned that what you say may be given in evidence *
- The interview will be recorded
- You may be accompanied by a legal representative
- You may stop the interview at any time.

PACE caution: You do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence.

We will also ask you questions about the business; your knowledge of the law; and where the seized goods came from. You will have a chance to say anything you like about the allegations at

the end of the interview. Please bring with you any documents, records or other things that you might refer to during the interview.

I propose the interview should take place on **Thursday 18th August at 2pm**, if this is convenient.

I recommend that you seek independent legal advice before attending an interview.

If you wish to be interviewed, please contact me (or Ms Tomashevski on 020 7527 3882, as I am away for the next three weeks) to confirm attendance and arrange a mutually convenient time. If you choose not to be interviewed, please confirm this in writing (e-mail or letter).

Please contact me if anything in this letter needs further explanation or if you have any questions.

Yours sincerely

Doug Love
Principal Consumer Services Officer



To: Katie Tomashevski / Doug Love
Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

29th September 2016

Dear Sir/Madam,

Re: NISA, 89-91 HOLLAND WALK, LONDON N19 3XU

We are writing to you as a result of our company's internal investigation in to the matters you have raised in your letter dated 8th July 2016. For the avoidance of doubt, we have taken your letter very seriously and as a result have taken drastic steps in relation to this particular store. Unfortunately, the manager whom we entrusted for the running of this store failed, above all, to inform us of the issues raised in your said letter and has since been dismissed.

As a result of our own investigations into the failings at the store, we have identified that a number of staff did not comply with our company's policies and or training which was given. Mr. Ibrahim Has who was the DPS of the premise has been dismissed since 5th September 2016.

Since these dismissal and more importantly as a result of commercial calculations we can confirm that we have now decided to sell the business onto third parties.

To this end, we can confirm that we have agreed to sell the business to Mr. Buluthan Kartal and Mr. Zerdest Zagrosi following our board meeting on the 7th September 2016. As a result, the Premise Licence had been transferred to Mr. Buluthan Kartal with immediate affect. Our company has no more interest at 89-91 Holland Walk, London N19 3XU other then been leaseholder, which is currently in the process of being transferred to the said new owners.

We would be happy to assist you any further if you require further information.

Yours Sincerely,

Mr. Mustafa Has
Company Secretary
For and on behalf of Mhak Management Ltd

Dated

17th October

2016

**MHAK MANAGEMENT
LIMITED**

AND

BULUTHAN KARTAL

AND

ZERDEST ZAGROSI

AGREEMENT

**Sale of the business
and leasehold premises at
89/91 Holland Walk
London N19 3XU**

MORGAN HAS
solicitors

**1st & 2nd Floor,
133 Stoke Newington High Street
Stoke Newington
London N16 0PH
Tel: 020 7249 1337
Fax: 020 7249 1338**

AGREEMENT

(Incorporating the Standard Commercial Property Conditions - Second Edition)

Agreement date: 17th October 2016

Seller: **MHAK MANAGEMENT LIMITED**
(Comp. Reg. No.: 08615641) whose
registered offices is at Unit 1 Bellfleur
Crescent Red Lodge Bury Lodge Bury
St Edmonds Surrey IP28 8XQ

Buyer: **BULUTHAN KARTAL** of

ZERDEST ZAGROSI of

Property: Ground Floor, 89/91 Holland Walk,
Islington, London N19 3XH

Freehold/Leasehold: Leasehold

Root of Title/Title Number:

Incumbrances on the Property: All those matters contained or referred to
in the Registers of title at HM Land
Registry save for financial charges.

**Title Guarantee:
(Full/Limited)** Full Title Guarantee

Completion Date:

Contract Rate: 4% above the base rate of Lloyds Bank
TSB from time to time subsisting

Purchase Price:

Deposit: £

Amount Payable for Chattels:

Amount Payable for Stock:

Balance:

The Seller will sell and the buyer will buy the Property for the Purchase Price.

The Agreement continues on the next page.

WARNING

**This is a formal document, designed to create legal rights and legal obligations.
Take advice before using it.**

SPECIAL CONDITIONS

1. (a) This Agreement incorporates the Standard Commercial Property Conditions (Second Edition) ("Conditions"). Where there is a conflict between those conditions and this Agreement, this Agreement prevails.

(b) Terms used or defined in this Agreement have the same meaning when used in the conditions.
2. The Property is sold with vacant possession on completion.
3. The property is sold subject to the Incumbrances on the Property and the Buyer will raise no requisitions on them.
4. Subject to the terms and Conditions of this Agreement the Seller is to transfer the property with the title guarantee specified on the front page of this Agreement.
The transfer to the Buyer shall include the following provisions:
 - i) For the purpose of Section 6 (2)(a) of the Law of Property (Miscellaneous Provisions) Act 1994 all matters now recorded in registers open to public inspection are to be considered within the actual knowledge of the Transferee.
 - ii) The Transferor shall not be liable under the covenant implied by Section 4 of the Law of Property (Miscellaneous Provisions) Act

1994 for any breach of the terms of the Lease concerning the state and condition of the Property and the Registrar is requested to note such modification on the register.”

iii) For the purpose of the covenant implied into the Transfer by the Law of Property (Miscellaneous Provisions) Act 1994 the Transferors are not to be considered to be aware of an action of another person merely because it is or was known to or notice of it was given to a predecessor in title.

iv) This Transfer is made with full title guarantee but so that the Transferor will not be liable for any subsisting breach of a term of the Lease relating to state and condition of the property as at the date of this Transfer.

5. The Completion Date shall be the completion date stated on the front page of this Agreement and not as provided for in Conditions 8.1.1. The Seller shall not be required to complete on a particular day if the money due at completion is received or tendered after 3.30pm on that day.

6. The chattels on the Property and shown as included on any attached list are included in the sale.

7. Subject to the terms and Conditions of this Agreement the Seller will sell the business of an off-licence and the Buyer shall purchase for the consideration stated at Purchase Price on Completion Date:

7.1 The business as a going concern and

7.2 All the property assets and rights of the business including but without limitation to the following apportioned accordingly:

Goodwill:

Lease:

Fixtures & Fittings:

8. 10% of the Deposit due on exchange of this Agreement is to be paid to the Seller's solicitors as stakeholders by either sending a client account cheque or by sending the sum due to the Seller's solicitor's client account via CHAPS transfer.
- 9.1 If the amount of Deposit tendered is less than 10% of the Purchase Price the balance of the full 10% Deposit due shall at all times be due to the Seller and payable forthwith on demand as if it were a liquidated debt.
- 9.2 From the date fixed for completion the balance of the full 10% Deposit due shall carry interest at the Contract Rate.
- 9.3 Without prejudice to any other claims of whatsoever nature that the Seller may have against the Buyer arising from this Agreement and/or the Buyer failing to complete the same, Clause 9 shall remain in full force and effect as a separate agreement notwithstanding any cancellation of the Agreement.
9. The Seller shall on completion date supply to the Buyer full details of the any business debts outstanding and the Buyer shall as agent for the Seller use all reasonable endeavours (but without being required to commence legal proceedings) to collect these debts. The Seller shall also permit the Buyer and its advisors on notice of not less than 48 hours to have reasonable access to all the Seller's books and records relating to the business and at their expense to take copies thereof.
10. The Seller will take reasonable steps to ensure the Property is transferred in the same physical state (fair wear and tear excepted) as it was at the Agreement date or on the date of delivery of occupation of the Property, which ever is the earliest. This obligation does not extend to matters over which the Seller has no control or against which a prudent buyer will insure such as fire flood storm tempest malicious damage subsidence heave and other risks usually covered by a comprehensive insurance policy.
11. Title having been deduced to the Buyer's Solicitors prior to the date of this Agreement in the form referred to in Conditions 6.1 the Buyer shall:
- 10.1 Accept title to the Property as deduced,

10.2 Shall raise no requisition or objection in relation to it, and

10.3 Shall be deemed to buy the Property knowing and fully accepting the Seller's title to the Property

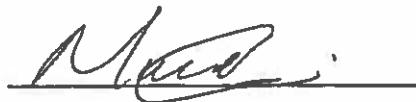
12. The Property is sold subject to:

- i) All matters (*including any overriding interests as defined under section 70(1) of the Land Registration Act 1925 without obligation to the Seller to specify the same*) disclosed or which might reasonably be expected to be disclosed as a result of searches or enquiries formal or informal whether personal or in writing made by or on behalf of a buyer or which a prudent buyer ought to make of the relevant authorities.
- ii) All rights of way water light and other rights liabilities easements quasi easements and public rights what so ever and to any liability to repair or to contribute to the repair of sewers drains road ways passages fences or other like matters and to all encumbrances of whatever nature.
- iii) All resolutions, directions, orders, notices and other requirements made by or from Local Authority affecting the Property.
- iv) All actual or proposed charges orders notices agreements restrictions conditions or other matters arising under the Town and Country Planning Acts and the authorised use thereunder.
- v) All local land charges (*whether registered or not before the date of this Agreement*) and all matters capable of registration with any local statutory or other Authority pursuant to any statute or subordinate legislation.
- vi) All bye laws and statutory regulations which may affect the Property.

13. All rent rates gas electricity water and other outgoing charges relating to the Property or payable in respect of the business up to the completion date or up to the date the Buyer took occupation of the Property, which ever is the earliest, shall be borne by the Seller. Thereafter i.e. from the completion date or from the date the Buyer took occupation of the Property, which ever is the earliest, shall be born by the Buyer. Any rent or other payments received in respect of the Property or the business up to the given time is to belong to and be payable to the Seller and from that time shall belong to and be payable to the Buyer. Such payments and outgoings received shall be apportioned accordingly.
14. The Buyer hereby admits that he has inspected the Property and he enters into this Agreement solely as a result of such inspection and upon the basis of the terms of this Agreement and that in making this Agreement no statement made by the Seller or his agent has induced him to enter into this Agreement.
15. It is hereby agreed and declared that for the purposes of Value Added Tax ("VAT") the business hereby agreed to be sold to the Buyer is sold to the Buyer as a going concern and provided that at the time of supply the Buyer is a taxable person for the purposes of VAT and is registered for VAT at HM Customs & Excise and produces satisfactory evidence of those facts in the form of a Certificate of Registration for VAT to the Seller prior to the Completion Date shall not be chargeable on any part of the Price or on the price for the Stocks but in case the foregoing condition shall not be fulfilled the Buyer shall pay or indemnify the Seller against any VAT chargeable in respect of the sale.
- All sums made payable by this Agreement are exclusive of VAT and if any such sum is or becomes subject to VAT it shall be deemed for all purposes to be increased by VAT which is in addition to be paid by the relevant party at the same time as the sum on which it is chargeable.
16. If the Seller's or the Buyer's solicitors serve a Notice to Complete in accordance with Conditions 8.5 then the party receiving such notice shall be liable to pay the other party's legal fees of not less than £150 plus VAT for service of such notice. This payment will be in addition to the Purchase Price and any other sums due under this Agreement.

17. If after completion the Seller will remain bound by any obligation or covenant affecting the Property the Buyer is to covenant with the Seller in the assurance to him to observe and perform such obligations or covenants and to indemnify the Seller in respect of any future breach thereof.
18. This Agreement is personal to the Buyer and shall not be capable of assignment and the Seller shall not be required to transfer the property in whole or in part to anyone other than the Buyer or the Buyer's personal representative.
19. This Agreement incorporates the entire agreement between the parties hereto and the Buyer acknowledges that he has not entered into this Agreement in reliance upon any statement or representation made to him by the Seller or by the Seller's Solicitors prior to the date hereof.
20. If any term or provision in this Agreement shall in whole or in part be held to any extent to be illegal or unenforceable under any enactment or rule of law that term or provision or part shall to that extent be deemed not to form part of this Agreement and the enforceability of the remainder of this Agreement shall not be affected.
21. In the light of the decision of *William Sindall Plc v. Cambridge County Council* it is hereby agreed and declared that replies to any enquiries are given to the best knowledge, information and belief of the Seller but neither the Seller nor their solicitors have made any further enquiries into such matter (such as, but without limitation, conducting a site inspection or making specific enquiries of statutory utilities) and the replies are therefore given on this basis.
22. Unless expressly stated nothing in this Agreement will create rights pursuant to the Contracts (Rights of Third Parties) Act 1999 in favour of anyone other than the parties to this Agreement.

Signature of the Seller:



Signature of the Buyer:



Statement of: Graham Hopkins

Age: Over 18

Occupation: Licensing Consultant

**Business: GT Licensing Consultants, 55 Codenham Green,
Basildon, Essex, SS16 5DT.**

I am Graham Hopkins Licensing Consultant at GT Licensing Consultants. I have worked as a Licensing Consultant since 2007.

I was previously employed by a London Borough Council for three years as a Licensing Officer and subsequently as a Licensing Compliance Officer for six months for a District Council. I was also the Tenant of a Kent based public house for two years. Prior to this I worked for HM Customs and Excise for nearly 25 years reaching the rank of Senior Executive Officer. I have a personal licence and hold the BIIAB Award for Personal Licence Holders and BIIAB Award for Licensing Practitioners.

On Monday 24th October I was contracted by Mr Mahir Kilic of NARTS to visit Nisa Local, 89 / 91 Holland Walk, London N19 3XU to undertake a licensing compliance check. On arrival at the Nisa Local shop I met Mr Buluthan Kartal the applicant for the transfer of the premises licence and DPS variation and the current interim DPS.

Mr Kartal was the only person on duty on the till but there was another member of staff on duty in the shop. I noticed that the summary of the premises licence was correctly displayed on the wall behind the counter. Mr Kartal advised that it showed the previous DPS as the variation is currently being processed.

The premises licence for the Nisa Local is numbered LN/15499-040815 grant date 4th August 2015 issued by London Borough of Islington.

I went through the conditions of the premises licence with Mr Kartal carrying out physical checks and taking photographs as appropriate.

I explained the mandatory conditions of the Licence. Mr Kartal is the current DPS and has been granted personal licence number 081138 by the London Borough of Hackney. He has not yet received the actual personal licence as Hackney Council are having ongoing problems in printing them off. He has received a written confirmation from LB Hackney of the grant. I was satisfied Mr Kartal was aware of the condition that alcohol must not be sold below the minimum duty / VAT inclusive price.

I worked through the Annexe 2 and Annexe 3 conditions attached to the premises licence number LN/15499-040815.

Annexe 2 Conditions:

1 No training records were kept on the premises. Mr Kartal stated that the records were kept elsewhere and I advised him they should be kept at the shop to comply with the condition. He stated the records were up to date but I could not verify this.

2 Challenge 25 signs displayed by the till, over the counter and at other points through the shop. Photographs taken.

3 There is an automatic till prompt on the EPOS till which is activated when age restricted products are scanned in. Photograph taken.

4 Mr Kartal confirmed that Nisa Group carry out mystery shopping trips. No records were available regarding mystery shopping visits. This is understandable.

5 Mr Kartal advised that Challenge 25 is incorporated in the staff training manual but could not show me one. I advised him the training manuals should be kept in the shop.

6 Mr Kartal was fully aware of this condition and that persons buying / attempting to buy alcohol for under age persons should be barred from the shop. I checked the shop frontage and there were no young or other persons loitering outside and the area is clearly covered by the CCTV and shown on the monitors.

7 Fire exit sign displayed by front door. Photograph taken.

8 Mr Kartal said staff are trained re fire safety procedures but I could not confirm this as no training records were kept on site.

9 First aid kit seen.

10 Mr Kartal said this condition is enforced. As stated at condition 8 there were no young or other persons loitering outside.

11 Mr Kartal said training was up to date but I could not confirm this as no training records were kept on site. I advised him that training records for all staff must be kept on site to evidence compliance with the condition.

12 Mr Kartal was aware of this condition and I saw no evidence of any resealed spirits boxes.

13 Mr Kartal was fully aware of this condition. I advised him to keep a written record of any reports to Trading Standards.

14 Mr Kartal was aware of this condition. I went through it with him. I asked to see some invoices for purchases of alcohol. He showed me a recent invoice for Polish beers. Mr Kartal said that invoices from NISA are kept on the computer but could be produced on demand. I have no reason to doubt this, but advised him to print off and keep copies of all invoices for alcohol purchases to readily evidence compliance.

15 The ultra violet light was seen and was working. Mr Kartal showed me how to use it on a duty paid label on a 70 cl bottle of Smirnoff vodka which duly fluoresced.

16 Mr Kartal is fully aware of this condition and the need to report cold callers to Trading Standards. I questioned him about this and recommended he keeps a written record of any reports.

17 Challenge 25 is operated and notices prominently displayed. Photographs taken.

18 Mr Kartal stated that this condition is complied with but in the absence of staff training manuals or records I could not confirm this. He was advised staff manuals and training records must be kept at the premises.

19 Mr Kartal stated staff are aware of this condition but in the absence of staff training manuals or records I could not confirm this. However clear signs re Challenge 25 are displayed and there is a till prompt on the EPOS till system. Mr Kartal was advised staff manuals and training records must be kept at the premises.

20 Satisfied condition being complied with and refusals book seen. Sufficient details recorded. Photograph taken.

21 A comprehensive CCTV system is in operation which has some 32 cameras covering the shop and frontage. Monitors are placed in front of the counter and are clearly visible to staff working behind the counter. Mr Kartal confirmed the system has a minimum of 31 days storage of images. The system starts to record by sensing movement.

By observing the monitors staff can check the CCTV system is operational. I asked Mr Kartal about checks to ensure the system is recording and storing images and he was unsure. Similarly he was unsure how to download images. He said his colleague could do this. I drew his attention to the requirement to download images for Police or Authorised Officers on demand.

I advised Mr Kartal to obtain early training from the CCTV company to ensure he and all staff could fully operate the system, ensure the CCTV system was recording properly and that they were able to download images for Officers on demand.

22 I checked a sample range of the stock of beer, lager or cider and saw one craft beer namely a 500 ml bottle of McEwans Champion Ale with a strength of 7.3% ABV (above 6.5% ABV) was being sold with a price of £2.45 per 500 ml bottle. Photograph taken.

23 Condition complied with. The panic button is behind the counter.

Annexe 3 Condition

24 Mr Kartal holds a personal licence and was on duty. There are a total of 4 personal licence holders working at the premises.

Premises Licence Compliance Check

Client Name: Mr Buluthan Kartal
Premises Name: Nisa Local
Address: 89-91 HOLLAND WALK
London N19 3XU

Photo 1- Shop front



Premises Licence Compliance Check



Client Name: Mr Buluthan Kartal
Premises Name: Nisa Local
Address: 89-91 HOLLAND WALK
London N19 3XU

Photo 2 Underage Notice 1



Premises Licence Compliance Check

Client Name: Mr Buluthan Kartal
Premises Name: Nisa Local
Address: 89-91 HOLLAND WALK
London N19 3XU

Photo 3 CCTV Monitor

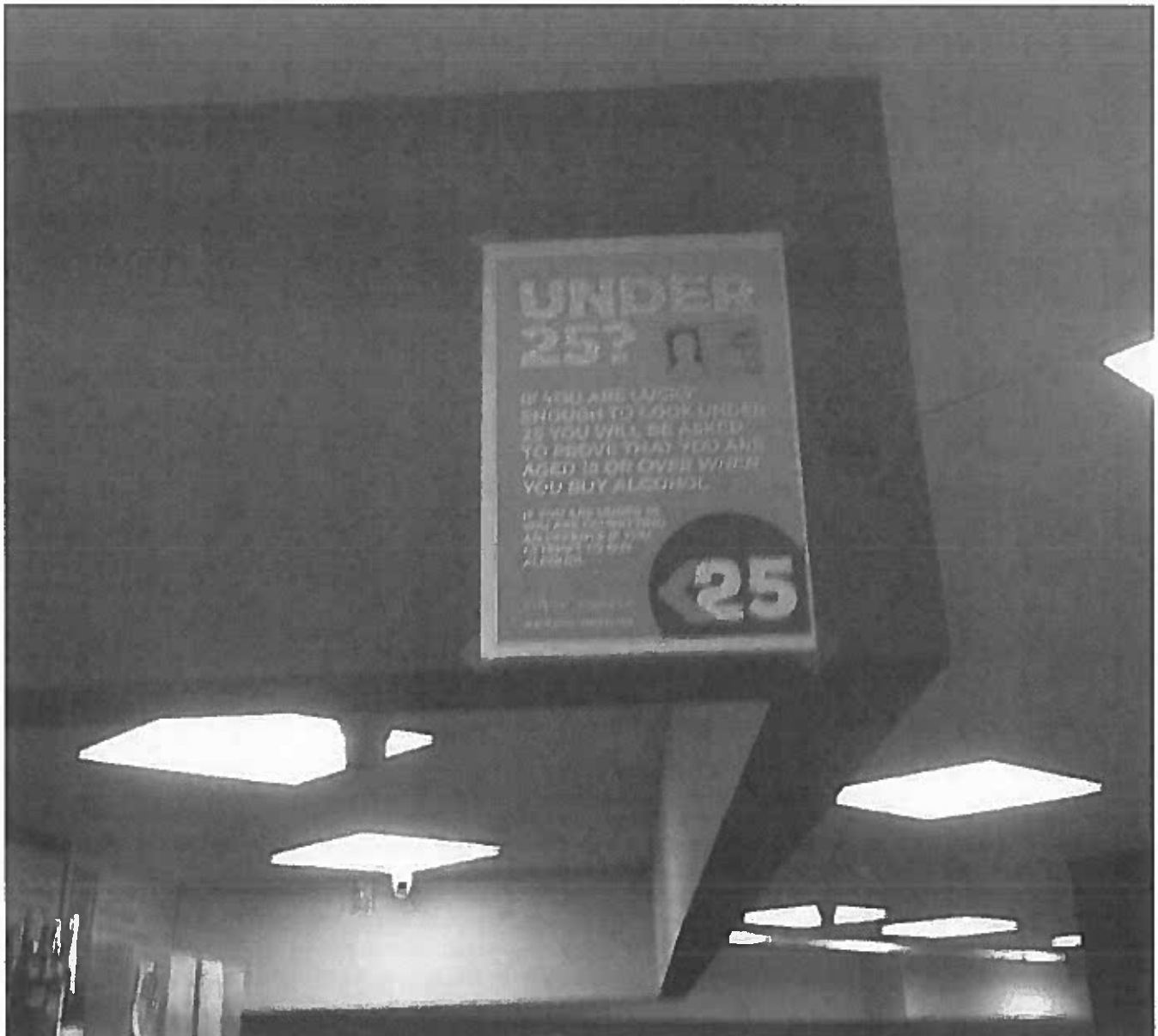


Premises Licence Compliance Check



Client Name: Mr Buluthan Kartal
Premises Name: Nisa Local
Address: 89-91 HOLLAND WALK
London N19 3XU

Photo 4 Underage Notice 2



Premises Licence Compliance Check

Client Name: Mr Buluthan Kartal
Premises Name: Nisa Local
Address: 89-91 HOLLAND WALK
London N19 3XU

Photo 5 Fire Exit Notice



Premises Licence Compliance Check



Client Name: Mr Buluthan Kartal
Premises Name: Nisa Local
Address: 89-91 HOLLAND WALK
London N19 3XU

Photo 6 EPOS Till Prompt



Premises Licence Compliance Check

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Photo 7 No Loiterers



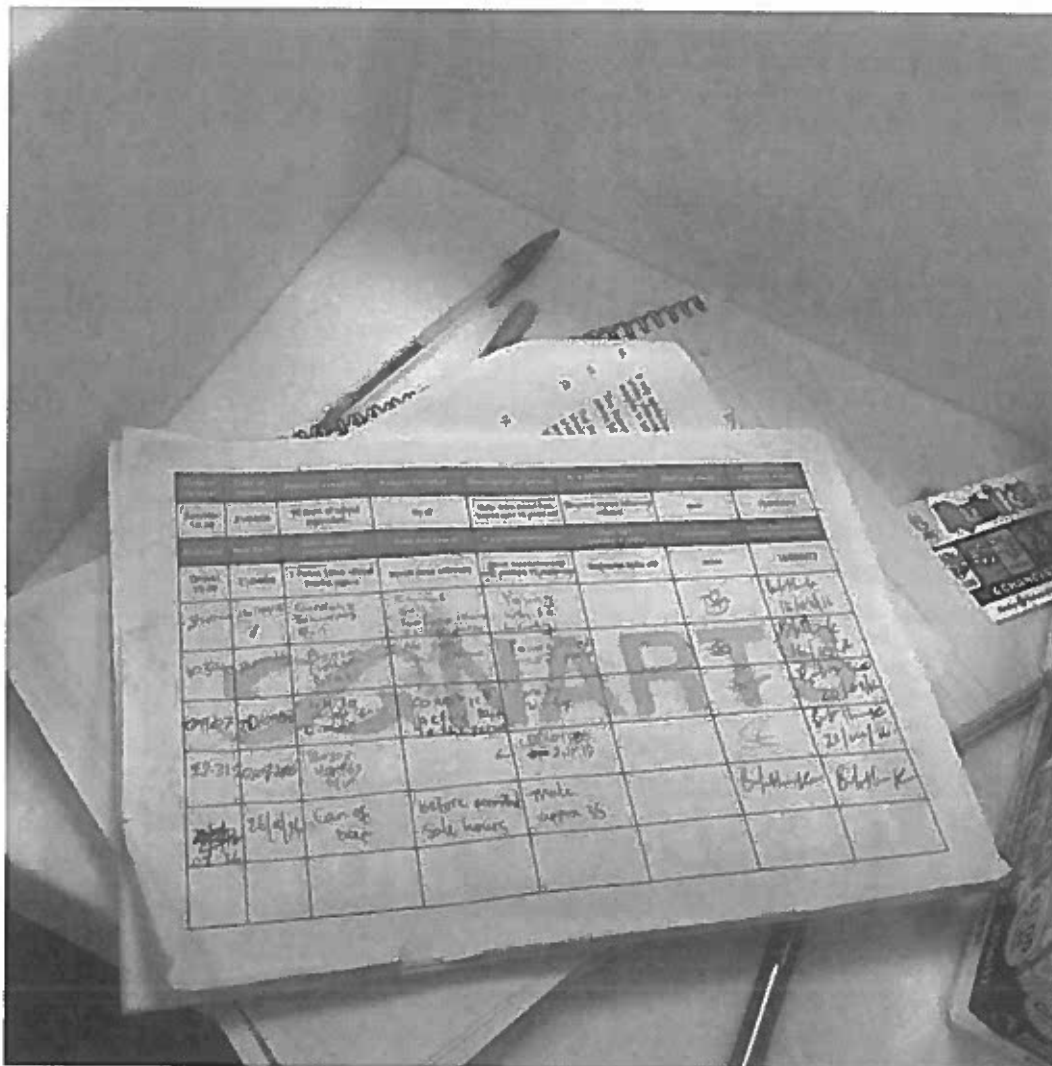
Premises Licence Compliance Check



Voice of Turkish & Kurdish Food Industry in Britain

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Photo 8 Refusals Book



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Photo 9 Condition 22 compliance



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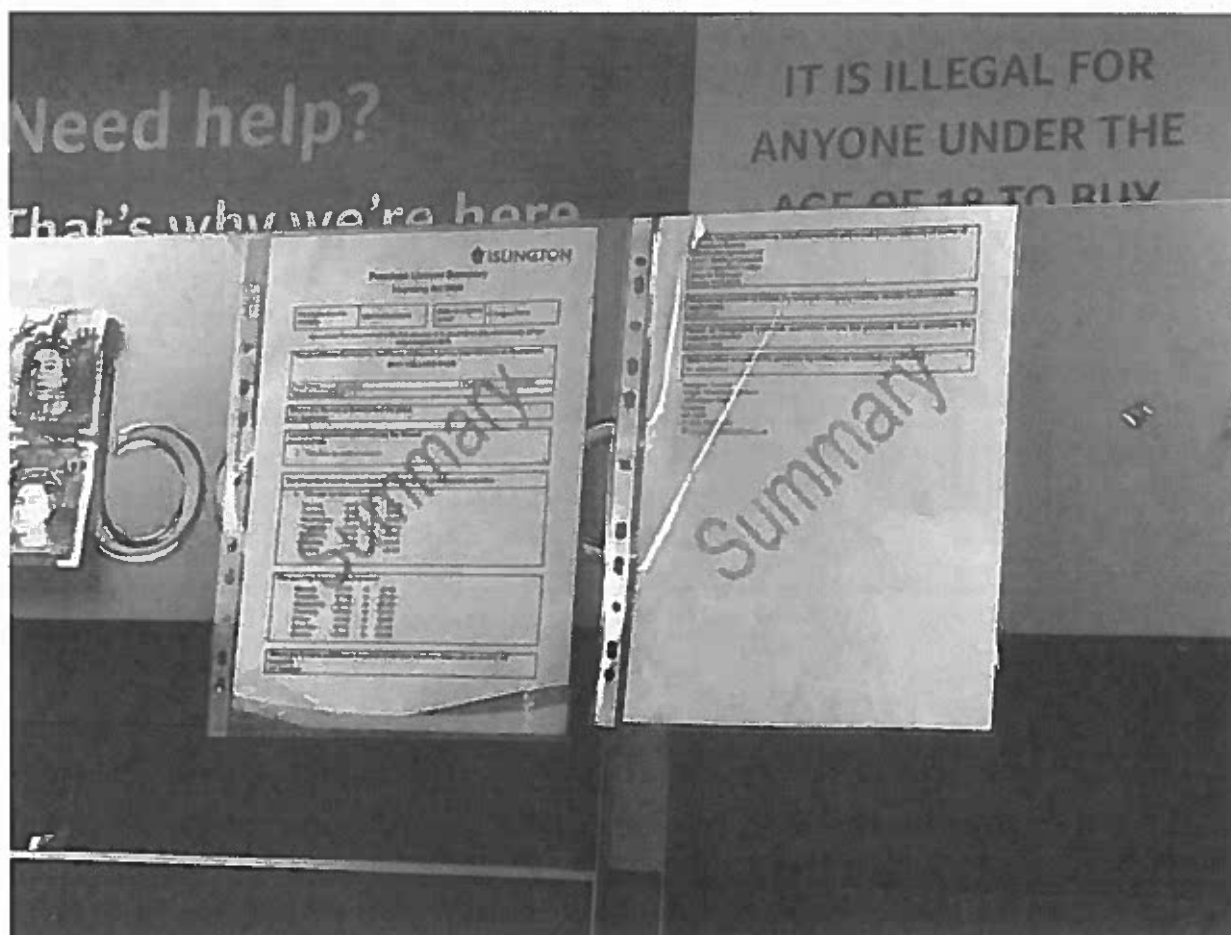
Photo 10 UV Light



Premises Licence Compliance Check

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London N19 3XU

Photo 11 Premises Licence Summary displayed



Tomashevski, Katie

From: Nisa holland walk
Sent: 05 November 2016 09:37
To: Tomashevski, Katie; LicensingPolice; Love, Douglas
Subject: Fwd: Deposit Receipt

Dear All,

Below is the email from the previous owners confirming receipt for the deposit.

Regards

----- Forwarded message -----

From: mustafa has <[redacted]>
Date: 4 November 2016 at 19:51
Subject: Deposit Receipt
To: [redacted]

Dear Zerdest,

Re: Holland Walk

I write further to request and confirm receipt of your £ [redacted] , deposit in respect of the our agreed sale of our interest in the said Nisa store to yourself.

Once formal assignment of the lease has taken place I confirm that your deposit will be reduced from the agreed purchase price.

I trust this assists.

Kind regards,

Mustafa Has

Title : 89-91 Holland
Walk N19 3XU

Islington Borough
Boundary

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ISLINGTON

