



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

AGENDA FOR THE LICENSING SUB COMMITTEE B

Members of Licensing Sub Committee B are summoned to a meeting, which will be held by Zoom on, **18 February 2022 at 1.15 pm.**

Link to meeting: <https://weareislington.zoom.us/j/86041214018>

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 17 February 2022

Membership

Councillor Phil Graham (Chair)
Councillor Valerie Bossman-Quarshie (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

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.

B. Items for Decision **Page**

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.

1. Holloway Food Store, 59-61 Seven Sisters Road, N7 6BH - Expedited review application 1 - 14

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.



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

Meeting of:	Date:	Ward(s):
Licensing Sub-Committee	18/02/2022	Finsbury Park

	Exempt	Non-exempt
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SUBJECT: PREMISES LICENCE SUMMARY REVIEW APPLICATION RE: HOLLOWAY FOOD STORE, 59 – 61 SEVEN SISTERS ROAD LONDON N7 6BH

1. Synopsis

- 1.1 An application for an expedited review of the premises licence under Section 53A of the Licensing Act, was made by the Metropolitan Police on Wednesday 16th February 2022 on the grounds of Serious Crime. A copy of the review application is attached as Appendix 1.
- 1.2 The application was received at 14:33 hours on 16th February 2022.
- 1.3 This application relates to an incident involving serious crime, namely an assault with a knife resulting in serious injury.
- 1.4 On Sunday 13th February 2022, Police were called to Seven Sisters Road, N7 by a male stating he had been injured. Police attended and found a male with apparent knife related injuries. These injuries consisted of a deep laceration to the forearm, a 5cm slash to the face and a 12cm slash injury to the stomach.
- 1.5 The victim informed Police that he had been assaulted by two men working in the nearby shop who had a 'big machette'. This shop was identified as the Holloway Food Centre.

- 1.6 Subsequent investigation has revealed that the victim of the attack was drunk and was causing a disturbance within the venue. Upon leaving, the victim has thrown fruit at the shop and has damaged the glass door.
- 1.7 CCTV footage from the venue and nearby cameras has been interrogated. Footage shows the victim causing a disturbance outside. A male can be seen walking towards the victim who is stood still in the road. The male has in his possession a large 'Rambo' style knife. The male can be seen to make a slashing movement with the knife towards the victim.
- 1.8 This male has been identified and is confirmed to be a member of staff from Holloway Food Centre. The CCTV also shows another male with a large stick chasing the victim. This male has also been identified and is a member of staff from the Holloway Food Centre.
- 1.9 The victim was taken to hospital for treatment for the knife injuries. His condition is not life threatening however follow up treatment will be required for his arm injury.
- 1.10 Attending officers found that the two males involved had left the scene. At the time of writing, the two suspects involved have not been traced by Police.
- 1.11 The Police state they have serious and immediate concerns regarding the management of this venue and no confidence that they can operate without posing a risk to public safety. That in their view that such critical failings and actions by management and staff constitute ongoing risk of serious crime.

2. Background

- 2.1 The premises licence is currently held by Eshabil Kavak who transferred onto the Premises Licence in October 2020.
- 2.2 Mr Kavak also became the designated premises supervisor at the premises in November 2020.
- 2.3 The premises were granted a 24 hour alcohol licence in 2006.

3. Recommendations

- 3.1 To determine the application to review the premises licence under Section 53A of the Licensing Act.
- 3.2 The Committee must have regard to the application and any relevant representations, take such steps as mentioned in Section 53B (3) of the Act (if any), as it considers appropriate for the promotion of the licensing objectives.
- 3.3 The interim steps stated in Sections 53B(3) of the Act are as follows:
 - a) The modification of the conditions of the premises licence;
 - b) The exclusion of the sale of alcohol by retail from the scope of the licence
 - c) The removal of the designated premises supervisor from the licence
 - d) The suspension of the licence.

4. Conclusion and Reason for recommendations

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

Appendices:

Appendix 1: Application and Certificate

Appendix 2: Current premises licence

Background papers:

None.

Final report clearance:

Signed by:



Service Director – Public Protection

Date 17 February 2022

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk



**METROPOLITAN
POLICE**

TOTAL POLICING

Form for Applying for a Summary Licence Review
Application for the review of a premises licence under section 53A of the Licensing Act 2003
 (premises associated with serious crime, serious disorder or both)

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 the 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.

Insert name and address of relevant licensing authority and its reference number:

Name: Islington Council

Address:

222 Upper Street

Post town: Islington

Post code: N1 1XR

Ref. No.:

I PC Tim Livermore 3472CN

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details

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

Holloway Food Centre, 59-61 Seven Sisters Road, Islington

Post town: Islington

Post code: N7 6BH
(if known)

2. Premises licence details

Name of premises licence holder or club holding club premises certificate (if known):

Eshabil Kavak

Number of premises licence or club premises certificate (if known):

LN/2537-041120

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm:



PROTECTIVE MARKING

4. Details of association of the above premises with serious crime, serious disorder or both
(Please read guidance note 2)

PROTECTIVE MARKING

Venue Background:

The Holloway Food Centre is a 24 hour licensed off licence and grocery store based on Seven Sisters Road, N7.

Incident: - CAD 1346/13FEB22 - CRIS 2703650/22 -

At 0449 hrs on Sunday 13th February 2022 Police receive a call from a male stating he needs Police as there is 'too much blood'. Police arrive on scene at 0503 hrs to a male standing in the road outside the premises initially presenting with a deep cut to his forearm. The male states he has been attacked by 2 men who work inside the shop who have injured him with a machete. [from CCTV later accessible it appears to be a silver bladed Rambo type knife with a black sheath]. The male also had a slash to his face approx. 5cm long and a slash wound to his stomach that was 12cm long.

After administering first aid, Police entered the shop spoke to a staff member who provided his personal details. He stated the male outside had caused issues and damaged the shop front window. The staff member stated he could not show the premises CCTV to officers as he could not work it and would need the manager and was alone in the shop. A crime scene was set up due to the amount of blood outside the premises, injuries sustained and the allegation made. A further witness approached police and stated 2 shopkeepers from the premises had attacked both him and the male with the knife wounds.

At 0600 hrs the owner of the premises arrived to work the CCTV and it became apparent that there were 3 shop workers present at 0453 hrs but only 1 remained on police arrival following the call from the injured male. The attack had possibly been as early as 0429 hrs. Limited available CCTV available to be viewed by investigating officers [noted to be showing the incorrect time by 1 hr in any case] captures one shop keeper in possession of a Rambo style knife approach the injured male [appears to be after any initial incident and damage to the shop door] with victim standing on road away from shop. The shopkeeper approaches the victim whilst holding the knife and makes a slashing and thrusting movement towards him at stomach height at 0429 hrs. This is clearly not in self-defence. One shop worker also appears to be armed with a wooden pole or large stick during the incident. It is not clear if the knife injuries evident when police are notified and attend are sustained at 0429 hrs or in prolonged periods off of CCTV view prior to police arrival.

Specialist digital investigators will be required to visit the premises to obtain any other available angles or footage it is believed. Of note: - At no stage did the venue contact either ambulance or Police but do find time to brush and sweep down the outer pavement and adjust produce displays.

Officers attending are not able to locate the weapon used or the 2 shop workers said to be involved. At the time of writing the victims injuries are deemed by medical staff to be non-life threatening. A Police report states one will need further specialist medical appointments for assessment to see if he regains feeling in his arm.

Submission: Having reviewed the available evidence in this case, the Police are of the view that immediate steps are necessary to deal with the risk posed by the operation of this venue. Staff members employed at the venue have had immediate access to a large Rambo style knife. Staff have reacted wholly inappropriately to a minor disturbance by a drunk male. Instead of calling the Police, 2 of the staff members have taken it upon themselves to attack the male with one causing significant injuries using a huge knife. Following the incident, no call was made to Ambulance or Police by venue staff. Police suggest this lack of action was intentional, in order to allow for the suspects to make good their escape, dispose of the weapon involved and eliminate incriminating forensic evidence. These deliberate actions have delayed vital initial investigations and obliterated any potential forensic evidence, frustrating the Police investigation. On this occasion it appears the victim was lucky to escape life threatening injury. Circumstances and nature of injuries suggest that repeated blows with a knife were made to cause serious injury.

It is the view of Police that multiple and grave failings have been identified and demonstrate a stance completely at odds with any responsible operation and indeed opposing the Licensing Objectives. It is concerning that staff appear to have to hand immediate access to such deadly weapons. They have caused a minor disturbance to escalate, that could have easily been diffused or dealt with by a call to Police, into a potentially life threatening assault.

Police have considered other enforcement options open to them. However, mindful of the current and ongoing risk, and specifically the fact that the venue has made decisions contrary to (and in breach of), a licence that already states any instances of crime and disorder at the premises shall be reported to the police immediately, it is not felt that the venue can safely operate.

Police enter this application for the panels urgent attention and ask that consideration be given to suspending the premises licence in question pending full review. The criminal investigation is active and ongoing at this time in an effort to locate the suspects involved.

Respectfully submitted for members consideration, PC 3472CN Tim Livermore. Islington Police Licensing Team.

PROTECTIVE MARKING

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Signature of applicant

Signature:	<i>T. Livermore 3472CN</i>	Date:	16/02/2022
Capacity:	Police Licensing Officer		

Contact details for matters concerning this application

Surname:	Livermore	First Names:	Tim
Address:	Islington Police Licensing team , Islington Police Station , 2 Tolpuddle Street ,		
Post town:	Islington	Post code:	N1 0YY
Tel. No.:	07919547416	Email:	tim.livermore@met.police.uk

Notes for guidance

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both. Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Retention Period: 7 years
MP 146/12



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Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

**I hereby certify that in my opinion the premises described below are associated with:
serious crime**

Premises (Include business name and address and any other relevant identifying details):

Postal address of premises or club premises, or if none, ordnance survey map reference or description:
 Holloway Food Centre, 59 - 61 Seven Sisters Road, Islington

Post town: London **Post code:** (if known) N7 6BH

Premises licence number (if known):
 LN/2537-041120

Name of premises supervisor (if known):
 Mr Eshabil Kavak

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I am a Superintendent * in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

PROTECTIVE MARKING

This application relates to an incident involving serious crime, namely an assault with a knife resulting in serious injury.

The matter has been recorded as GBH with intent and is being investigated as such. CRIS 2703650/22 refers.

This incident is directly linked to the Holloway Food Centre, 59 - 61 Seven Sisters Road, N7. The suspects involved are staff members, working at the venue at the time of the incident.

On Sunday 13th February 2022, Police were called to Seven Sisters Road, N7 by a male stating he had been injured. Police attended and found a male with apparent knife related injuries. These injuries consisted of a deep laceration to the forearm, a 5cm slash to the face and a 12cm slash injury to the stomach.

The victim informed Police that he had been assaulted by two men working in the nearby shop who had a 'big machete' This shop was identified as the Holloway Food Centre.

Subsequent investigation has revealed that the victim of the attack was drunk and was causing a disturbance within the venue. Upon leaving, the victim has thrown fruit at the shop and has damaged the glass door.

CCTV footage from the venue and nearby cameras has been interrogated. Footage shows the victim causing a disturbance outside. A male can be seen walking towards the victim who is stood still in the road. The male has in his possession a large 'Rambo' style knife. The male can be seen to make a slashing movement with the knife towards the victim. This male has been identified and is confirmed to be a member of staff from Holloway Food Centre.

The CCTV also shows another male with a large stick chasing the victim. This male has also been identified and is a member of staff from the Holloway Food Centre.

The victim was taken to hospital for treatment for the knife injuries. His condition is not life threatening however follow-up treatment will be required for his arm injury.

Attending officers found that the two males involved had left the scene. At the time of writing, the two suspects involved have not been traced by Police.

Police were called to this incident by the victim. Staff did not call Police or ambulance at any point.

I have considered authorising a standard review of the premises licence, however I do not feel this step to be appropriate given the circumstances.

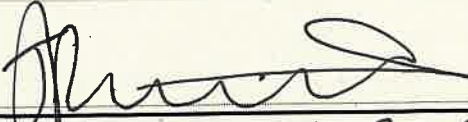
This incident was so serious, and actions by the venue staff so grave and concerning, that in my view the case should be put before a licensing committee as soon as possible in order for measures to be put in place to address the risk that this venue poses. Given the circumstances, I recommend an immediate suspension of the premises licence.

I have serious and immediate concerns regarding the management of this venue and no confidence that they can operate without posing a risk to public safety.

It is my view that such critical failings and actions by management and staff constitute ongoing risk of serious crime.

Signature

PROTECTIVE MARKING

Signature:		Date:	16/02/2022
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SUPT JACK ROWLANDS.

Retention Period: 7 years
MP 147/12

Premises Licence Summary

Licensing Act 2003

Premises licence number	LN/2537-041120	Date of original grant*	24 November 2005
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**An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

Premises details

Postal address of premises, or if none, ordnance survey map reference or description			
HOLLOWAY FOOD CENTRE 59 - 61 SEVEN SISTERS ROAD			
Post town	London	Post code	N7 6BH
Telephone number	0207 561 9910		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
<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 style="margin-left: 20px; border: none;"> <tr><td>Monday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Tuesday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Wednesday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Thursday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Friday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Saturday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Sunday</td><td>00.00</td><td>to</td><td>24.00</td></tr> </table> 	Monday	00.00	to	24.00	Tuesday	00.00	to	24.00	Wednesday	00.00	to	24.00	Thursday	00.00	to	24.00	Friday	00.00	to	24.00	Saturday	00.00	to	24.00	Sunday	00.00	to	24.00
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Sunday	00.00	to	24.00																									

The opening hours of the premises:

Monday	00.00	to	24.00
Tuesday	00.00	to	24.00
Wednesday	00.00	to	24.00
Thursday	00.00	to	24.00
Friday	00.00	to	24.00
Saturday	00.00	to	24.00
Sunday	00.00	to	24.00

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

Off supplies

Name, (registered) address of holder of premises licence

Eshabil Kavak
Flat 77
George Lansbury House
Progress Way
London
N22 5PE

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

N/A

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

Eshabil Kavak

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

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.

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 restrictions on hours during which the sale of alcohol is authorised does not prohibit:
 - during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
 - the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - the sale of alcohol to a trader or club for the purposes of the trade or club;
 - the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military
- 2 Alcohol shall not be sold in an open container or be consumed in the licensed premises
- 3 CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity 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 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer with 24 hours of any request.
- 4 Any instances of crime and disorder at the premises shall be reported to the Police immediately, record of these incidents shall be kept in a general incident *log-book* in which are recorded details of each day's events. This log shall be made available to an authorised officer or a police officer with 24 hours of any request
- 5 Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 6 Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby properties.
- 7 The premises shall enforce a proof of age scheme, which is approved by the authorised officer of the Council and by the Local Police.

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

1. Their shall be a minimum of three fully trained members of staff working at the premises when it is used under this licence during the hours of 23.00 and 8.00.

Annex 4 – Plans

Reference : 82.04/01