



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	21 st March 2017		Mildmay

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
RE: STAR FOOD & WINE, 138-140 BALL'S POND ROAD, LONDON, N1 4AD

1. Synopsis

1.1 This is an application for a new premise licence under the Licensing Act 2003.

1.2 The new application is to allow:

- The sale by retail of alcohol, off supplies only, Sundays to Thursdays from 06:00 until 01:00 the following day and Fridays & Saturdays from 06:00 until 02:00 the following day; and
- The premises to be open to the public, 24 hours, 7 days a week.

2. Relevant Representations

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

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

3. Background

3.1 Papers are attached as follows:-

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

3.2 Licensing History:

- The business already holds a premises licence authorising the sale of alcohol Sundays to Thursdays from 06:00 until 01:00 the following day and Fridays & Saturdays from 06:00 until 03:00 the following day;
- The premises licence is subject to a 2 month suspension imposed as a result of a premises licence review application determined before a Licensing Sub-Committee on 4th October 2016. The suspension is yet to be served as the Sub-Committee's decision is subject to an appeal. The appeal is scheduled to be heard at Highbury Magistrates Court on 25th April 2017.
- The appeal was submitted by the same solicitors firm, Oakfield Solicitors, that are representing the new applicant, Mr Abdurrahman Yolcu.
- Mr Abdurrahman Yolcu is in the process of buying the business from the current licensee, Mr Onur Kavruk.

4. Planning Implications

4.1 The Planning Service has reported that there are no restrictive conditions in force.

5 Recommendations

5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.

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

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

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

Jan Hart



Service Director – Public Protection

Date 10 March 2017

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk



ISLINGTON

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We ABDURRAHMAN YOLCU

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 138-140 BALLS POND ROAD,			
Post town	LONDON	Postcode	N1 4AD
Telephone number at premises (if any)		020 7354 4519	
Non-domestic rateable value of premises		£ 4,301 TO 33,000	

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |

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PUBLIC REGISTERED OFFICE
2008 UNITED KINGDOM

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a
 statutory function or ☐
 a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname YOLCU			First names ABDURRAHMAN		
I am 18 years old or over			<input checked="" type="checkbox"/> Please tick yes		
Current postal address if different from premises address		90A MOUNT PLEASANT LANE			
Post town	LONDON		Postcode	E5 9EN	
Daytime contact telephone number			07830753067		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
2	3	1	1	2	0	1	6

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

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

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

The premise is a supermarket.

The premise is proposing to supply alcohol for consumption off the premises.

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

n/a

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

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

Provision of 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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		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 3)			
Tue						
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)			
Thur						
Fri			<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 5)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		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 3)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)			
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 5)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<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 5)
Sat			
Sun			

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		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 3)			
Tue						
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
			State any seasonal variations for the performance of dance (please read guidance note 4)	
Wed				
Thur				
			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 (please read guidance note 5)	
Fri				
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
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 4)		
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 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>			
Mon						
Tue			<u>Please give further details here</u> (please read guidance note 3)			
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur						
Fri			<u>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</u> (please read guidance note 5)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>	
				Off the premises	<input checked="" type="checkbox"/>	
				Both	<input type="checkbox"/>	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)			
Mon	6:00	1:00				
	AM	AM				
Tue	6:00	1:00				
	AM	AM				
Wed	6:00	1:00				
	AM	AM				
Thur	6:00	1:00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)
	AM	AM				
Fri	6:00	2:00				
	AM	AM				
Sat	6:00	2:00				
	AM	AM				
Sun	6:00	1:00				
	AM	AM				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name		ABDURRAHMAN YOLCU
Address		[REDACTED]
Postcode		[REDACTED]
Personal licence number (if known)		[REDACTED]
Issuing licensing authority (if known)		

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 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	<u>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</u> (please read guidance note 5)
Mon	00:00	00:00	
	00:00	00:00	
Tue	00:00	00:00	
	00:00	00:00	
Wed	00:00	00:00	
	00:00	00:00	
Thur	00:00	00:00	
	00:00	00:00	
Fri	00:00	00:00	
	00:00	00:00	
Sat	00:00	00:00	
	00:00	00:00	
Sun	00:00	00:00	
	00:00	00:00	

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

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

-THE APPLICANT WILL COOPERATE WITH ALL RELEVANT AUTHORITIES AND WILL PROMOTE TO ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES.

b) The prevention of crime and disorder

-THE APPLICANT WILL COOPERATE WITH THE POLICE AND ANY OTHER RELEVANT AUTHORITIES.
-THE APPLICANT WILL ALWAYS PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES.
-STAFF TRAINING WILL ALWAYS BE IN PLACE IN CONNECTION WITH PREVENTION OF CRIME AND DISORDER.
-ANY ALCOHOL SOLD WILL BE IN A SEALED CONTAINER

c) Public safety

-APPROPRIATE FIRE SAFETY PROCEDURES ARE IN PLACE INCLUDING FIRE EXTINGUISHERS.
-ALL APPLIANCES WILL BE INSPECTED ANNUALLY
-ALL EMERGENCY EXITS WILL BE KEPT FREE FROM OBSTRUCTION AT ALL TIMES.
-THE APPLICANT WILL PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES.

d) The prevention of public nuisance

-ALL CUSTOMERS WILL BE ASKED TO LEAVE QUIETLY.
-THE APPLICANT WILL PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES.

e) The protection of children from harm

- THE APPLICANT WILL PROMOTE AND ADOPT ANY RECOMMENDATION FROM ALL RESPONSIBLE AUTHORITIES. STAFF TRAINING ARE/WILL ALWAYS BE IN PLACE.
 -ID CHECKING SYSTEM IS/WILL BE IN PLACE.
 -THE APPLICANT WILL TRAIN STAFF TO NOTE ANY REFUSALS TO SELL YOUNG PEOPLE IN A REFUSAL LOG.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON 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 4 – Signatures (please read guidance note 10)

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

Signature	
Date	24.01.17
Capacity	SOLICITOR

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

Signature	/
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

OAKFIELD SOLICITORS
UNIT 4 FOUNTAYNE BUSINESS CENTRE
BROAD LANE

Post town **LONDON**

Postcode **N15 4AG**

Telephone number (if any) **0208 808 1478**

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
INFO@OAKFIELDSOLICITORS.COM

Notes for Guidance

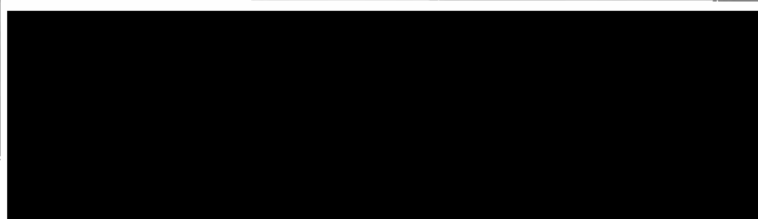
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

PART A

Consent of individual to being specified as premises supervisor

I ABDURRAHMAN YOLCU
[full name of prospective premises supervisor]

Of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

premises licence to supply alcohol for consumption off the
[type of application] premises.

by Abdurrahman Yölcü
[name of applicant]

Relating to a premises licence

[number of existing licence, if any]

for

138-140 Baysford Road
London
N1 4AD

[name and address of premises to which the application relates]



ISLINGTON

and any premises licence to be granted or varied in respect of this application made by

ABDURRAHMAN YOLCU
[name of applicant]

concerning the supply of alcohol at

STAR FOOD AND WINE 135-140 BALLS POND ROAD LONDON N1 4AD
[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

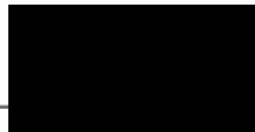
Personal licence number



Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (Please Print)

ABDURRAHMAN YOLCU

Date

24.01.2017



24 January 2017

Islington
Licensing Service
Public Protection Division
222 Upper Street
London
N1 1XR

BY RECORDED DELIVERY

Our ref: MC/YOLCU/M

Dear Sirs

Application for a premises license to be granted

Applicant: Abdurrahman Yolcu

The premises: 138-140 Ball Pond Road, London N1 4AD

We confirm that the Applicant is in the process of buying the lease for the above premises; he is seeking to obtain a new premises licence for the above premises on new terms. Please note that the lease transfer process has started. Please find enclosed the original of the following documents for your consideration:

1. Dully completed and signed application for a premises licence form
2. Dully completed and signed consent of premises supervisor
4. Plan of the premises

For your information, please note that the Applicant's personal licence card cannot be located. We are only able to provide the Licence Number [REDACTED]. An application for a new card has been made.

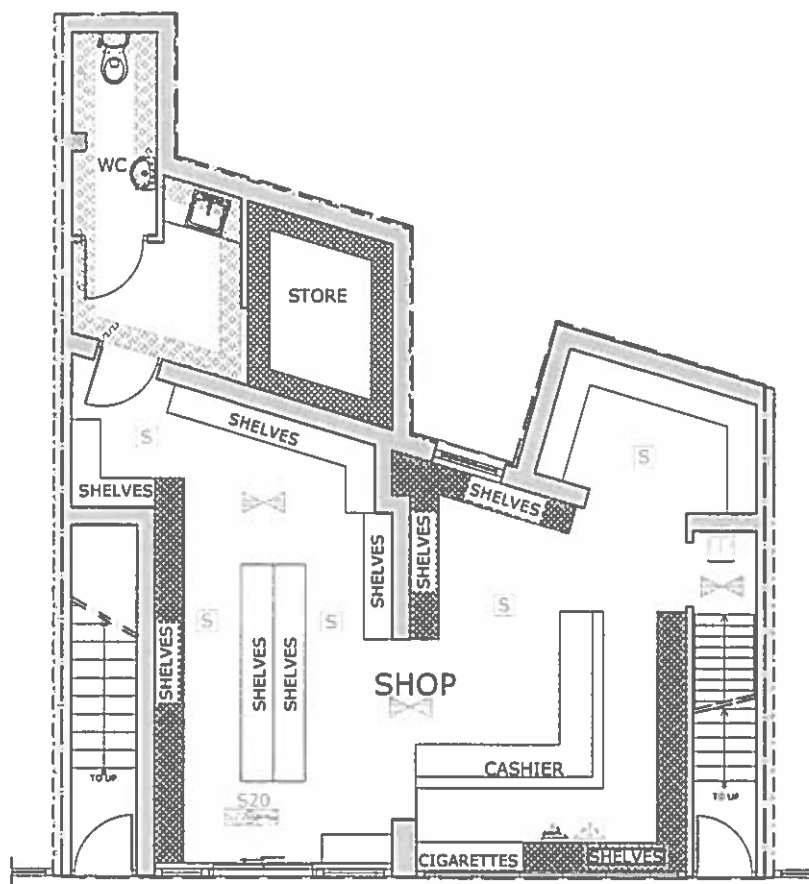
We kindly ask you to acknowledge safe receipt and please do not hesitate to contact us should you have any further enquiries.

Thank you for your assistance in this matter.

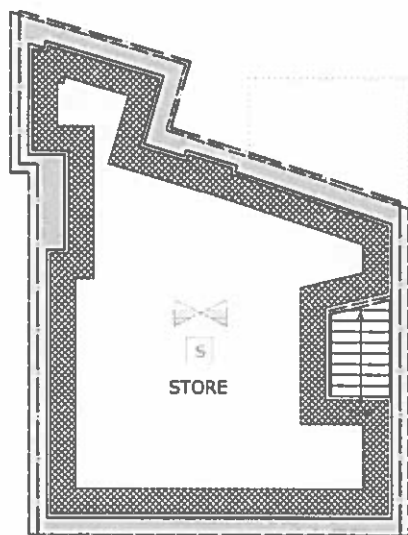
We look forward to hearing from you.

Yours faithfully

OAKFIELD SOLICITORS












GROUND FLOOR PLAN
SCALE: 1/100



BASEMENT FLOOR PLAN
SCALE: 1/100

LEGEND

-  LIQUOR SALE
-  STORAGE
-  WC, PASSAGEWAY, ETC
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTING
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
-  FIRE ALARM CALL POINT

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STAR OFF LICENCE
138-140 BALLS POND ROAD
LONDON N1

- GROUND FLOOR PLAN

SCALE: 1/100

REF. NO : 127.16/01

DATE: NOVEMBER 2016

DRG BY: A.AY

anva ltd.

architectural, engineering
and licensing

P.O. BOX 1827

1LFORD. IG2 7WJ

TEL: 020 8599 5036

MOBILE: 077 10942923 / 079 30407212

E-MAIL: info@a-anva.co.uk

Your New Premises License Application
Our Licensing/NI
Date: 22/02/2017



**METROPOLITAN POLICE
SERVICE**

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

Telephone: 07799133204

Email:

licensingpolice@islington.gov.uk

22nd February 2017

Star Food and Wine

138-140 Balls Pond Road
N1 4AD

Dear Sir

Re: Premises License Application (New) - Star Food and Wine, 138-140 Balls Pond Road

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 all of the Licensing Objectives.

The police would expect the highest of standards regarding proposals within an application by any prospective Off Licensee. On reading what the applicant is proposing I have concerns that they have not sufficiently addressed any natural concerns relating to their promotion of the Licensing Objectives. They have mentioned on no less than six occasions that they will cooperate or adopt recommendations from the responsible authorities. This shows no proactive ideas by the applicant as to how they will be running their business so as to promote the Licensing Objectives. This puts into question the experience in the role the new applicant has in dealing with well run similar businesses.

There is also the chequered history of this venue currently having a license that was reviewed less than 6 months ago and is still yet to have a period of suspension imposed on them. This new application could be viewed as a way to circumvent the suspension and as such undermine the due process of the Licensing Authority.

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

If the Licensing Committee is minded to grant this application then I believe it should be within the core hours for Off Licences as defined within the licensing policy and also adopt the following conditions.

CCTV

CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to comply with the following criteria:

The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request; The Police must be informed if the system will not be operating for longer than one day of business for any reason;

One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;

The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;

The system shall record in real time and recordings will be date and time stamped;

Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to Police or authorised Council officers on request (subject to the Data Protection Act 1998) within 24 hours of any request;

At all times, there will be a person on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request and to supply a copy of footage immediately to Police to assist with the immediate investigation of an offence.

Incident Log

An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:

- a. All crimes reported to the venue*
- b. Any complaints received*
- c. Any incidents of disorder*
- d. Any faults in the CCTV system*
- e. Any visit by a relevant authority or emergency service*
- f. Any refusal of the sale of alcohol*

- The premises licence holder will work closely with the Police and the Licensing Authority.

- All instances of crime and disorder shall be reported to the police.

- Staff at the premises shall ensure that the immediate area outside the premises is kept clear of rubbish at all times the premises are open and operating.

- All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.

- Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

- A proof of age scheme, such as Challenge (25), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as: a driving license or passport / holographically marked PASS scheme identification cards.

- No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol

- No alcohol of 6.0% ABV or above shall be sold in cans or plastic containers at the premises.

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

Yours sincerely

Ben Chadwick Pc 292NI

Steven Harrington Pc 425NI

Peter Conisbee Pc 575NI

Islington Police Licensing Officers

Licensing Act 2003**Licensing Authority Representation****Premises Licence Application:****138-140 Ball's Pond Road, London N1 4AD.**

I am submitting a representation on behalf of the Licensing Authority with respect to the premises licence application, submitted by **Mr Abdurrahman Yolcu**.

The application is seeking to allow the premises to provide the sale by retail of alcohol, off supplies only, Sundays to Thursdays from 06:00 until 01:00 the following day and Fridays & Saturdays from 06:00 until 02:00 the following day.

The grounds for the representation are:

- Prevention of Crime & Disorder;
- Protection of Children from Harm; and
- Prevention of Public Nuisance.

Licensing Policy Considerations

<i>Licensing Policy 4</i>	<i>Shops selling alcohol;</i>
<i>Licensing Policy 8</i>	<i>Licensing hours;</i>
<i>Licensing Policies 9 & 10</i>	<i>Standards of management and the operating schedule;</i>
<i>Licensing Policy 25</i>	<i>Children & alcohol; and</i>
<i>Licensing Policy 26</i>	<i>Illicit goods being offered for sale.</i>

Background

- This business currently holds a premises licence authorising the sale of alcohol Sundays to Thursdays from 06:00 until 01:00 the following day and Fridays & Saturdays from 06:00 until 03:00 the following day.
- This premises licence was subject to a 2 month suspension imposed as a result of a premises licence review application determined before a Licensing Sub-Committee on 4th October 2016. The suspension is yet to be served as the Sub-Committee's decision is subject to an appeal. The appeal is to be heard at Highbury Magistrates Court on 25th April 2017.
- The appeal was submitted by the same solicitors firm, Oakfield Solicitors, that are representing the new applicant, Mr Abdurrahman Yolcu.
- Mr Abdurrahman Yolcu is in the process of buying the business from the current licensee, Mr Onur Kavruk.

Issues of Concern

- The premises licence application is not up to the standards the Licensing Authority expects for a shop premises seeking to sell alcohol up until 02:00. The application makes no reference to the fact that the hours sought are in excess of the suggested hours as laid out within LP8 of the Council's Licensing Policy or provide any justification for seeking such. The operating schedule (LP9) offers very little in the way of controls and does not include the level of detail expected for an application seeking such late hours for the sale of alcohol. It is therefore difficult to assess the applicant's knowledge and understanding of the four licensing objectives and his ability to attain the high standards of management expected for shops selling alcohol within the Borough (LP10).
- The Licensing Authority is concerned that the applicant has not fully recognised or understood their responsibility in regards to tackling the illegal sales of alcohol to children (LP25). The Council's Licensing Policy states that Challenge 25 should be the standard to help reduce the likelihood of underage sales. While the operating schedule does reference some controls in this regard there is little detail and Challenge 25 has not been proposed.
- The applicant has not proposed any controls or conditions in relation to illicit goods (LP26), such as non-duty paid alcohol. This is of great importance in this case as the licence currently in place at the business was reviewed after illicit alcohol and tobacco were found.
- The application is seeking to allow the premises to be open to the public 24 hours a day seven days a week. The Licensing Authority would have therefore expected the operating schedule to detail controls to manage the availability of alcohol after the terminal hour permitted for its sale.

Summary

The Licensing Authority is unable to fully assess the suitability of the proposed licensee given the level of detail provided within the application. This and the fact that a premises licence with an appealed suspension decision is already in place at the business leads the Licensing Authority to recommend that the Sub-Committee should refuse the premises licence application.

Terrie Lane
Licensing Manager
Islington Council
020 7527 3233

23rd February 2017

**ISLINGTON****PUBLIC PROTECTION DIVISION**Trading Standards
222 Upper Street
London N1 1XRTel: x 3874
E-mail: doug.love@islington.gov.uk

Please reply to: Doug Love

MEMO TO:**LICENSING TEAM
222 UPPER STREET**Our Ref:
Your Ref:
Date: 23/02/17**LICENSING ACT 2003: REPRESENTATIONS BY RESPONSIBLE AUTHORITY****138-140 Ball's Pond Road, N1 4AD**

I have examined the application for a licence for the above premises on behalf of the Trading Standards Section and I have also met with Abdurrahman Yolcu, the applicant. Mr Yolcu reported that he had committed to buying the business located at the above address, before he was aware of the review application. For the record, the review application was distributed towards the end of July 2016 and Mr Yolcu stated that he had committed to the purchase in September 2016. I would have been able to confirm to any prospective purchaser (without giving details, of course) at any time from the end of April 2016 that enforcement action was being considered against the premises licence holder.

The new application is not adequate and I recommend that it is rejected. The hours requested are outside the framework hours in the policy and there is far too little detail in the operating schedule to allow me to arrive at any conclusions about the applicant's understanding of what is required to attain a high standard of management in an off-licence business.

The repeated assertion that "The applicant will promote and adopt any recommendation from all responsible authorities" is inadequate and I am disappointed to see it in any application submitted on an applicant's behalf by a licensing consultant / legal advisor. It is for the business to propose the operating schedule. Responsible authorities may give informal advice prior to an application, or comment on proposals, but this appears to be effectively asking responsible authorities to write the operating schedule and I will decline to do that, as I will have no assurance that the applicant is involved in and understands what is being proposed on his behalf.

I am happy to consider any further conditions proposed by the applicant, in the event of this application continuing.

Kind regards,

Doug Love
Trading Standards Officer

020 7527 3874

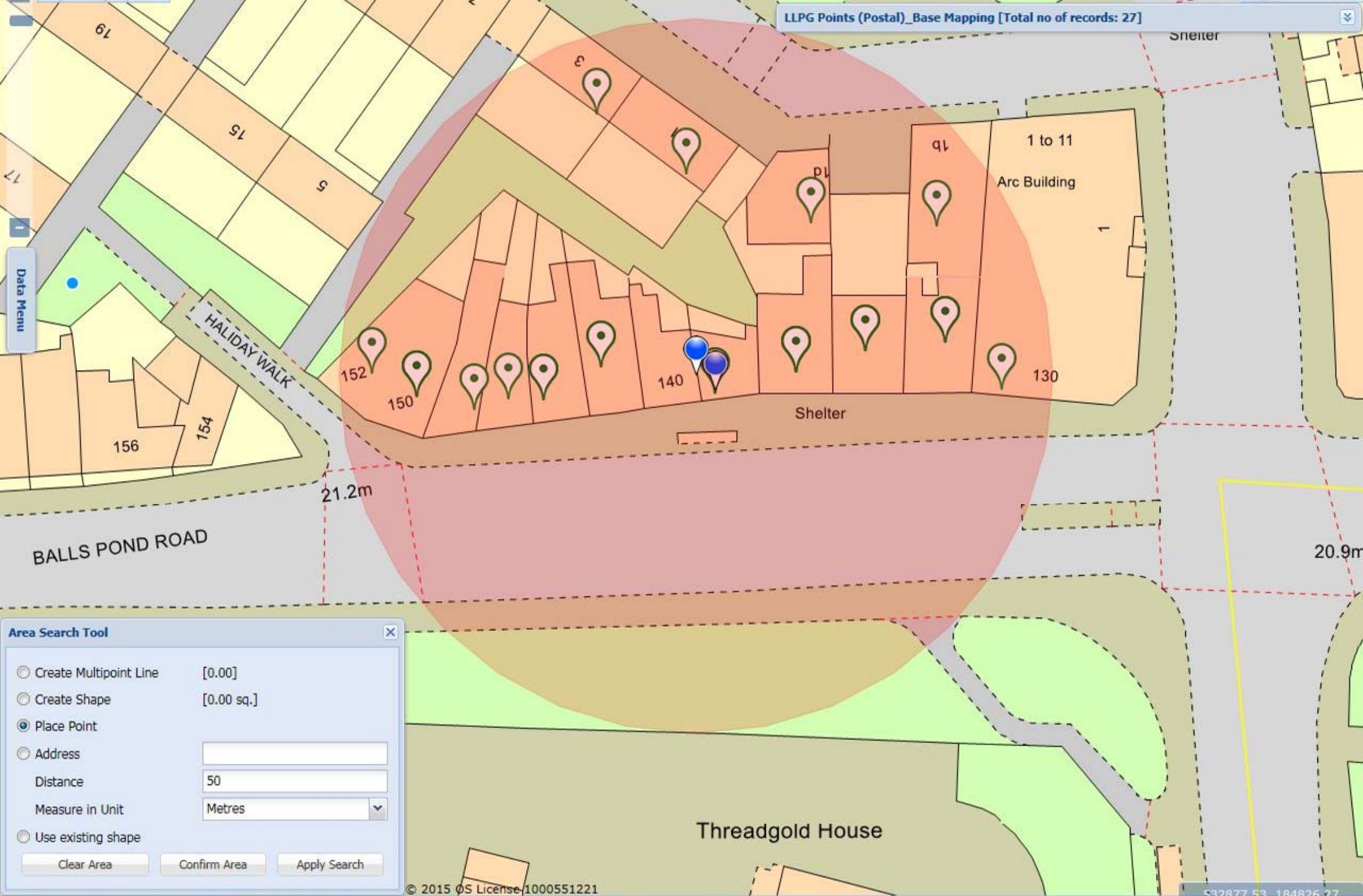
Suggested conditions of approval consistent with the operating schedule

1. Any alcohol sold will be in a sealed container.
2. All emergency exit routes will be kept free from obstruction at all times.
3. All customers will be asked to leave quietly.
4. An ID checking system will be in place.
5. The applicant will train staff to note any refusals to sell alcohol to young persons in a refusals log.

Metropolitan Police recommend refusal of the application, if however the Sub-Committee are minded to grant a premises licence the following conditions are proposed:

6. CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to comply with the following criteria:
 - a. The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request;
 - b. The Police must be informed if the system will not be operating for longer than one day of business for any reason;
 - c. One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
 - d. The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
 - e. The system shall record in real time and recordings will be date and time stamped;
 - f. Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to Police or authorised Council officers on request (subject to the Data Protection Act 1998) within 24 hours of any request;
 - g. At all times, there will be a person on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request and to supply a copy of footage immediately to Police to assist with the immediate investigation of an offence.
7. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:
 - a. All crimes reported to the venue;
 - b. Any complaints received;
 - c. Any incidents of disorder;
 - d. Any faults in the CCTV system;
 - e. Any visit by a relevant authority or emergency service; and
 - f. Any refusal of the sale of alcohol.
8. The premises licence holder will work closely with the Police and the Licensing Authority.
9. All instances of crime and disorder shall be reported to the police.
10. Staff at the premises shall ensure that the immediate area outside the premises is kept clear of rubbish at all times the premises are open and operating.

11. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
12. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
13. A proof of age scheme, such as Challenge (25), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as: a driving license or passport / holographically marked PASS scheme identification cards.
14. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
15. No alcohol of 6.0% ABV or above shall be sold in cans or plastic containers at the premises.



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