

Report of: Service Director, Public Protection

<b>Meeting of:</b>	<b>Date:</b>	<b>Ward(s):</b>
Licensing Sub-Committee - B	2 July 2019	Finsbury Park

	Exempt	Non-exempt
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**SUBJECT: PREMISES LICENCE REVIEW APPLICATION**  
**RE: AFASIKA BAR & RESTAURANT, BASEMENT AND GROUND FLOOR, 152 SEVEN SISTERS ROAD, ISLINGTON, LONDON, N7 7PL.**

**1. Synopsis**

- 1.1 This is an application by **The Metropolitan Police** for a Review of the Premises Licence under Section 51 of the Licensing Act 2003. A copy of the review application is attached as Appendix 1.
- 1.2 The grounds for initial review are related to the following licensing objectives:
- i) The prevention of crime and disorder;
  - ii) Public Safety;
- The following grounds have been raised in supporting representations
- iii) The prevention of public nuisance;

**2. Relevant Representations**

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

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

### 3. Background

3.1 The premises currently hold a licence allowing:

- i) The sale of alcohol, recorded music, and performance of dance from 11:00 until 01:00 Sunday and Thursday, from 11:00 until 00:00 on Monday, from 11:00 until 00.30 on Tuesday and Wednesday and from 11:00 until 02:00 on Friday and Saturday.
- ii) The provision of late night refreshment from 23:00:00 until 01:00 Sunday and Thursday, from 23:00 until 00:00 on Monday, from 23:00 until 00.30 on Tuesday and Wednesday and from 23:00 until 02:00 on Friday and Saturday.

#### **Licensing History:**

- 3.2 This licence was only granted by consent order, after an appeal submitted in respect of a review received by the Council's Environmental Health team, heard by the Council Licensing Sub Committee on the 26 March 2018. The consent order is dated 18 October 2018.
- 3.3 Since the consent order was agreed with the licence holder on 18 October 2018 the premises licence holder has continued to breach the terms and conditions of his licence.
- 3.4 The licensing officer spoke to the agent's representing the licence holder after the consent order was agreed and they assured him that the licence holder was fully aware of the terms of the consent order agreed and his obligations as a licence holder.
- 3.5 The agent and the noise consultant also submitted a draft of a dispersal policy which details how the premises would operate at and around closing time. This dispersal policy was a condition of the consent order agreed with the courts.
- 3.6 On the 5th November 2018 the Police were called to the premises after a violent incident at the premises where three people were hospitalised. The details of the incident are contained in the review application by the Police.
- 3.7 The actual incident took place over an hour and half after the premises should have been closed, and the actual licence holder can be seen on the premises on his own CCTV.
- 3.8 On the 9 November 2018 the weekend after the serious incident, a Police licensing officer visited and had to serve a closure notice on the licence holder for significant breaches of his licence conditions.

- 3.9 On the 11 January 2019 Council licensing officers visited the premises, again the ID scanner and CCTV system at the premises were not working, again in breach of the licence.
- 3.10 Also, even though the licensing officer advised the licence holder they would be re-visiting him, he still failed to clear the premises of customer's, and was witnessed supplying shots of alcohol to persons on the premises, when he should have been closed.
- 3.11 On the 13th January at 02:40 the Police licensing team found 15 customers in the premises, these customers were still consuming alcohol.
- 3.12 The Police licensing team requested CCTV images for the weekend of the 11/12/13th of January 2019, which is a condition of his licence, and the licence holder was unable to supply it.
- 3.13 In addition, the Licensing Authority has tasked the Council's parkguard nightsafe patrol to monitor the premises for breaches, they have found the premises operating after hours on numerous occasions.
- 3.14 Also on 20th February 2019 the licence holder was invited to the Council offices for a Police and Criminal Evidence interview.
- 3.15 The purpose of this interview was to give the licence holder an opportunity to explain any mitigating facts or circumstances in relation to any to offences witnessed at the premises before the Council decided on the next course of action.
- 3.16 The licence holder advised that his legal team failed to explain to him that his hours had been restricted with immediate effect by the Consent Order issued by the Court (this was why he was still open on the 5th November 2018), and then simply denied that anyone had ever witnessed the premises operating after hours since this date.
- 3.17 He advised that his legal team hadn't ever given him a copy of the dispersal plan, and when it was presented to him in the interview he denied ever seeing it.
- 3.18 The only explanation he attempted to give officers was there were a number of technical issues with the CCTV and scanning systems.
- 3.19 The premises have been seen breaching at least one of the licence conditions when being visited by officers since the consent order signed in October 2018. The ID scanner has never been operating satisfactorily and the CCTV system has rarely operated in accordance with the licence requirements.
- 3.20 The licensing team have been advised that a further update of all visits and noise complaints is being prepared and will be available before the hearing.
- 3.21 This licence review is also supported by the Licensing Authority, the Noise Team, Public Health and one local resident.

#### **4. Planning Implications**

- 4.1 The premises only has planning consent to operate between the hours of 09.00 and 23.30 on any weekday or Saturday, and 10.00 and 22.30 on Sundays and Bank Holidays.

4.2 The planning team have acknowledged that the premises has been operating outside of these hours for a significant numbers of years, it is still the owner's responsibility to apply for a certificate of lawfulness for the site.

## **5. Recommendations**

5.1 To determine the application to review the premises licence under Section 52 of the Licensing Act.

5.2 The Committee must have regard to the application and any relevant representations. The Committee must take such steps as necessary for the promotion of the four licensing objectives.

5.3 The steps stated in Sections 52(4) of the Act are as follows:

- a) to modify the conditions of the licence; and for this purpose the conditions of the licence are modified if any of them are altered, omitted or any new condition is added;
- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premises supervisor;
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence;
- f) the Committee also have the option to leave the licence in its existing state;
- g) the Committee also has the power in relation to steps a) and b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

## **6. 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.

### **Appendices:**

- Appendix 1: application form;
- Appendix 2: current premises licence;
- Appendix 3: representations;
- Appendix 4: Map of premises location.

**Background papers:**

None.

**Final report clearance:**

**Signed by:**

A handwritten signature in black ink, appearing to be 'J. Stet' or similar, written in a cursive style.

Service Director – Public Protection

Date

Report author: Licensing Service

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Islington Council, 222 Upper Street, London, N1 1XR

**Application for the review of a premises licence or club premises certificate 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 Metropolitan Police**

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 under section 87 of the Licensing  
Act 2003 for the premises described in Part 1 below**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Afasika Bar & Restaurant, Basement and Ground Floor, 152 Seven Sisters Road, Islington,	
<b>Post town</b> London	<b>Post code (if known)</b> N7 7PL.

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Afasika Bar & Restaurant Ltd, Basement And Ground Floor 152 Seven Sisters Road Islington London N7 7PL
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<b>Number of premises licence or club premises certificate (if known)</b> LN/4407-18102018
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**Part 2 - Applicant details**

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates

(please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Please tick ✓ yes

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

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Islington Police Licensing Team Islington Police Station 2 Tolpuddle Street N1 0YY
Telephone number (if any) 07799 133 204
E-mail address (optional) licensingpolice@islington.gov.uk

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**Please state the ground(s) for review (please read guidance note 2)**

Afasika is an extremely small premises, with a capacity of no more than 60. Its ground floor space is little more than a corridor. Despite this it has, over recent months, been the scene of a significant number of crimes featuring appalling levels of violence.

The number of reported incidents are wholly disproportionate to what would be expected of any similar sized (but well-managed) venue in the area.

Further to this, the venue does not even open regularly, yet still generates a significant number of reported assaults and disorder. Without exception the assaults involve serious violence with injury and occur after midnight. Crucially it is apparent that on nearly all occasions those involved are heavily intoxicated.

Afasika is a venue that appears to allow or accept excessive consumption of alcohol. In the majority of incidents police officers in attendance have observed patrons both in and around the venue to be intoxicated. It is clear therefore that the premises is failing to control its patrons consumption and resulting behaviour, and that the excessive consumption of alcohol is the reason for the disproportionate levels of violent crime associated with the venue.

On 26th March 2018 the premises was subject to a review following representation by the Islington Noise Team. The police spoke in support of the review and presented a summary of the crimes that had occurred at the premises. Police put the following conditions;

1. Reduce the hours for both basement and ground floors to 09:00 to 00:30 Monday to Sunday (with all licensable activities to cease at midnight - allowing 30 minutes drinking up time).
2. Increase staff awareness and training in recognising drunkenness and the effects of alcohol. A full training log to be maintained and made available to the police and/or R/A upon request.
3. Increase SIA staff to a minimum of 3 at all times when premises is open for licensable activities.
4. Provide a schedule of operating and dispersal policy around SIA staff, to be endorsed by the police, evidencing more efficient door policy and documenting shift times and details for all SIA accredited staff on duty.
5. Cease any and all vertical drinking on the premises. All alcohol to be sold only to seated patrons and by waitress service.

The licensing Sub-Committee decided to reduce the hours and to remove the deregulation of live and receded music from the premises licence.

The applicant appealed the sub-committee decision and the matter was due to be heard at Highbury magistrates court in December 2018. An agreement to limit the hours was reached in October 2018.

The agreed Hours for licensable activities are as follows;

Sunday 11am- 0100

Monday 11am to Midnight

Tuesday 11am to 0030

Wednesday 11am to 0030

Thursday 11am to 0100

Friday & Saturday 11am to 0200

I attached a copy of the current licence.

Since that agreement in October a further incident of violent disorder took place on 05th November 2018 as mentioned in the report (Cris 2726572/18 refers).

This was reported in the local media (Islington gazette) and after reviewing CCTV footage from both the venue itself and the LBI, it is absolutely certain that the individuals involved were patrons from Afasika.

The CCTV depicts scenes of extreme violence in the street. A significant group of 20-30 males are

seen fighting using weapons such as sticks and poles, lumps of wood, and metal bars. At one point a male is knocked to the floor outside the venue and then, whilst prone, is beaten with poles and stamped on by several males from the group. This male sustained injuries resulting in hospitalization. 7 suspects were arrested, and several more are currently being circulated as wanted by police.

Despite the DPS agreeing to conditions put forward by the court in order for the venue to operate safely and in accordance to promoting the licence objectives the venue continues to be the scene of violent disorder. It is clear that such violence cannot be allowed to continue.

The police have attended the venue and conducted several compliance visits. On each such visit officers have highlighted breaches of licence conditions and highlighted concerns that to date have still not been addressed.

Put simply, the police have no confidence in the DPS. Of specific note on this point is the fact that review of the CCTV footage from several incidents demonstrate the DPS attempting to control outbreaks of disorder with zero success. He appears completely ineffective in this role and in fact on one occasion he can be seen being simply thrown to the floor when he attempts to interject. Breaches have also been witnessed by parkguard officers on the 28/11/2018, and evidence is formally documented in a statement provided by Daniel Tullet.

A further visit was conducted by Pc 2533 Peace on Friday 12th January 2019 at 0230 hours when the venue was still open and selling alcohol. A request was made for CCTV to be provided for that night. On Monday 14th January 2018 Pc 1302CN Cauwenbergh attended the venue to collect CCTV. The DPS stated it would not be available until the following day. I contacted the DPS who stated the data had been lost due to technical errors.

It is apparent that advice and guidance put forward by both the Police and the Licensing Authority has not been heeded and there has been no reduction in levels of violence and disorder. The police have no choice but to seek revocation of the licence.

**Please provide as much information as possible to support the application (please read guidance note 3)**

My name is Petros Loizou and I am a Police Constable with the Metropolitan Police Service. I currently work as a Licensing Officer at Islington Police Station. I have been given this specific responsibility by the Borough Commander who is acting under the written delegated authority of the Commissioner of Police for the Metropolis. A copy of this authority has been lodged with Islington Council Legal Department.

This statement is submitted to support the application by the Metropolitan Police Service made under Section 51 of the Licensing Act 2003. This is for the review of the premises license held for the premises at Afasika 152 Seven Sisters Road N7 7PL.

The application for a review is on the basis of concerns in relationship to the following Licensing Objectives:

- The prevention of crime and disorder.
- Public Safety.

#### SUPPORTING DATA

The data in this report has been collated from various Police indices. It has been taken from the CRIS system - the MPS computer database used to record all allegations of crime, the CAD system that records all calls to police and the CRIMINT system used for intelligence reports.

#### CAD REPORTS

A computer aided dispatch (CAD) message is created every time a member of the public contacts police via either the 101 or 999 system. In some cases there will be no further information other than a CAD message, as the request or call may not necessitate any further work. In the majority of cases they do lead to further work, the majority being crime reports. You can however have several CAD messages for one incident, such as multiple informants. Police officers will also create CAD messages if they need to attend a venue which would necessitate any form of risk, or to pass messages/requests to other boroughs. It is almost impossible to successfully interrogate the CAD system with any degree of precision due to its use of 'incident qualifiers'. Operators will always use the most important qualifier to initiate any CAD, so as to pass the information on to officers in the fastest possible manner. Therefore if there is a firearms incident in a public house, a firearms marker will be used, then perhaps a disturbance marker and not necessarily a licensed premises marker (the officer will know they are going to a licensed premises as it would state such in the address field). For that very reason, to search a CAD system purely on the qualifiers used for licensed premises will not necessarily give an accurate indication as to how many times police have been called to a venue. Again, officers attending a venue to carry out a licensing check for example, may not necessarily initiate a CAD incident, depending on their level of the perceived risk.

(I have provided redacted version of the crime and intel reports)

Research carried out on the venue from September 2017 until January 2019. This information has been collated from crime and intelligence reports.

Time line of events (Chronological order)

PLL/01 Exhibit:

Cris 2726280/17

Cad-0885/25Sep 17

Offence: ABH

Date: 25th September 2017

Time: Between 0345 - 0420

Brief Summary

On Monday 25th September 2017 officers were called to attend 134A SEVEN SISTERS ROAD,

N7 because of a report made to police of large crowd outside flat 134 fighting. Officers arrived at the location Thane works n7 and could see approximately (14) fourteen males arguing with each other and causing a scene.

Officers could see a black male with his right eye swollen

Victim told police that the person who attacked he thinks was suspect one. Victim was intoxicated.

Victim and approximately (6) six friends has chased a suspect to the 134A SEVEN SISTERS and worried residents called the police.

Security from the venue spoke to the police and they were unable to identify the suspect as being involved in the fight. They confirmed that they do have CCTV at the location.

Victim stated that he was inside club Afasika Bar & Restaurant 152 Seven Sisters Road, LONDON, N7 7PL and a group of males started a fight with one of his friends, he then tried to calm them out that's when suspect1 pushed him in the face.

Mr Kieale manager from Afasika Bar on 20th October 2017 who reviewed the CCTV and stated that they do not have footage of the incident on tape.

Outcome: Report closed leads exhausted

PLL/02 Exhibit:

Cris 2729001/17

CAD 77 /23OCT17

Offence: GBH

Date: 23rd October 2017

Time: 0125

#### Brief Summary

Paramedics attended Seven Sisters Road, N7 after a male was assaulted. paramedics treated victim at the scene – recording that he had a suspected broken collarbone and bruising and cuts to his face. Paramedics confirmed it was most likely that the broken collarbone was caused by a kick and the facial cuts most likely caused by a glass bottle.

Paramedics called for police assistance as the victim was alleging he had been attacked (but would not elaborate on the details). Police arrived at the scene. Upon seeing police arrive.

It was noted that victim and his friends were intoxicated.

An employee at Afasika Restaurant stated he saw part of the fight (he cannot identify suspect), he inks he recalls that the victim engaging an argument with other male or a group of males, when the suspect seemed to come from nowhere and strike victim, causing him to fall to the floor. Suspect then kicked victim before running off.

Victim stated that he had been at a Christening earlier in the day and he had only gone to the venue after this at around 0130hrs. He was with his friend Dave. When he entered Afasika restaurant he states that almost instantly the Suspect who started on him. He states that he was punched in the face once inside and then the assault continued with more violence once on the street. He states that it was totally unprovoked and he does not have any idea why this happened to him.

Outcome code: Investigation complete insufficient evidence to charge suspect

PLL/03 Exhibit:

NIRT00509307 - 12/11/2017

License visit to Afasika 152 seven sisters road. N7 7pl

bouncers hesitated to let police in to check licence and premise, wanted manager approval.

Head count per bouncer did not match the police estimate headcount. There seemed to be more headcount per bouncers summary but within the license capacity.

The id checking done by the bouncers were not up to standard as there were under aged people within the club which the bouncer subsequently removed from police command.

Licence holder stated that there no first aid.

Additionally there was lack of bouncers on the door, manager stated 3 were present on site but only one seen at front door entrance.

PLL/04 Exhibit:

NIRT00511317 - 29/12/2017

Marked unit doing thorough security checks on SEVEN SISTERS ROAD N7 at 0125 hrs on 29/12/2017 noticed approximately 15 persons coming out of premises and almost falling over . 14 males and 1 FEMALE all appeared well refreshed .

Unit circled one way system to confirm venue address as AFASIKA 152 SEVEN SISTERS ROAD N77PL .

Shutter at venue was initially down but then up to allow persons out believed . While driving past first time glass side door to the right also had group of about 8 males standing around it smoking and shouting with one MALE having to be held up .

On unit returning most of shouting group had dispersed and last cab was dispersing with fresh vomit on pavement outside and shutter again down and premises seemingly in darkness.

Submitted in regard to any ongoing issues at premises believed to be an Ethiopian cafe with alcohol license or offering late night entertainment.

PLL/05 Exhibit:

Cris 2702489/18

CAD: 001487/28JAN18

Offence: GBH

Date: 28th January 2018

Time: 0430-0445

#### Brief Summary

Victim had been drinking at Afasika Restaurant 152 SEVEN SISTERS ROAD when he bumped into a male he knew 12 years ago outside the restaurant. They got into a disagreement about how long ago they had known each other which escalated and a fight ensued. The victim received a small cut behind his ear which bled a small amount. The victim stated that one of his other friends was also kicked but the friend did not want to report or give details.

Outcome Code: Investigation complete victim did not wish to pursue allegation

PLL/06 Exhibit:

NIRT00512911 - 03/02/2018

On Saturday 3rd February 2018 Ps Joseph 259CN of the Islington Licensing Team conducted a full Licensing compliance visit at AFISIKA BAR & RESTAURANT 152 SEVNE SISTERS ROAD N77PL

This visit was recorded on a form 695 - see attached

The DPS in charge was Mr Tekle Tesfamariam KIDANE (licence no [REDACTED] issued by [REDACTED]. His contact no [REDACTED]

The following issues were identified during this visit

1. There were no records/reports on the CCTV maintenance as requested in the premises license.
2. CCTV does not record for 31 days as requested in the premises license. It has only 18 days worth of recordings
3. The CCTV camera that covers the front door is obstructed by a newly installed canopy and therefore rendered useless.
4. No training records available for inspection.
5. Security logs are incomplete.

In addition to the above, when the two door staff were asked the maximum capacity of the premises neither of the door staff knew the exact number, which is 60.

While carrying out this visit I saw the door staff refuse entry to at least five males but made no record of this at all.

All of the above breaches and the security arrangements have been discussed with the DPS and he states that he will ensure the problems are rectified ahead of a follow up visit on Friday 9th February 2018. The DPS has been advised that should this not be the case a Section 19 Police and criminal justice act closure notice will be issued.

PLL/07 Exhibit:

NIRT00514333 - 09/03/2018

695 VISIT 09/03/2018 2050-2210 hrs 2533CN 3472CN 1987CN and 2407CN

AFASIKA BAR & RESTAURANT

Address - 152 SEVEN SISTERS ROAD N77PL

Premises' license summary on display - Licence was on display, and was located high up towards rear of restaurant in unlit area to left of kitchen service hatch

Name of designated premises supervisor - Tekle Tesfamariam KIDANE dob [REDACTED]

DPS present - initially no with premises open and no P/L holder on scene . Kitchen staff called Mr KIDANE to venue

Contact number for DPS - [REDACTED] email [REDACTED]

How many persons on premises - approximately 10 [ten] people on the premises believed some staff

Any person drunk on premises - No

No person under 18 identified on premises

Any evidence of drug misuse - No

Glass or Polycarbonate being used - glass drinkware used . plastic only used after no current access to plastic drinkware . under review for usage this coming summer .

CCTV Checked and working - working and located in small broom cupboard near to kitchen .

DPS only can use .

No doorstaff at time of visit . Only required for music events after 2230 hrs

Badge number of door staff - N/A

Door staff are provided by GATELINE SECURITY [REDACTED]

PatronScan ID scanner in use on FRI/SAT and SUN nights that hold 10000 images apparently before deleting

Drinking on street - No

Challenge 25 & refusal book kept but not part of any pubwatch scheme or aware of a local one .

DPS stated premises do not serve under 25's fullstop

S19 notice issued 2140hr 09/03/2018 for 3 breaches around music being played on ground floor , name and number of responsible person not being displayed within or without to be seen from without for local residents , personal licence holder not being present for some time when police arrived but premises open

PLL/08 Exhibit:

NIRT00515107 - 26/03/2018

On Monday 26th March 2018 at 1830 hours a review was held at the Islington Town Hall for AFASIKA 152 SEVEN SISTERS ROAD N77PL

Persons present were Pc 3757Cn Loizou from police licensing, Nial Forde and Teri Lane from Islington licensing.

Representing the venue was the DPS Mr Tekle Tesfamariam KIDANE who also had legal representation from his solicitor. He also had an interpreter and an acoustic sound expert.

The committee heard arguments from all interested parties a decision was made to modify the licence to the following conditions;

To remove all deregulated entertainment

The sale of alcohol between

0800-2300 hours Monday to Thursday

0800-000 hours Friday to Sunday

PLL/09 Exhibit:

Cris 2708970/18

Date: 15/04/2018

Offence: Violent Disorder

Time: 0400

CCTV: Yes

#### Brief Summary

Investigation into large scale disorder involving weapons on street from outside premises which was initially identified by LBI CCTV. CCTV shows large number of black males of fighting in the street. A rough headcount from CCTV has at least 20 persons involved, Fights and scuffles spill out into busy road causing traffic to avoid or stop. This carries on and off for approximately 20 minutes .

LBI CCTV control alerted police at the time who appear from footage seen to have attended on 2 occasions and seen to break up incident that has just moved further down street towards FINSBURY PARK area from outside bar where a large pole [like a football crossbar] has been brandished .

Outcome: Crime closed as no one wish to substantiate any allegations.

PLL/10 Exhibit:

CCTV Summary from LBI (Unable to make duplicates as it is protected by LBI)

Footage shows large groups of people from the venue fighting outside. A male involved in the fracas is seen arming himself with a pole and attempted to use it.

L.B Islington File (36059-1) Approx 12 minutes

Camera Located on Seven Sisters Road

Camera pans round the area and points towards the front of Afasika

A large group of people stood outside premises.

At 2minutes:

Groups of people are seen coming out the premises on to the pavement when they begin to push one another.

At 2minutes 5 seconds:

The Camera zooms in closer the pushing quickly escalates into people throwing punches, one male is seen to drop to the floor. He attempts to get up but falls forward.

At 2 minutes 25 seconds:

3 Males from the group can be seen weaving in and out of traffic on Seven Sisters road opposite the premises

Fighting continues directly outside premises, one male is on the floor whilst the group attack him.

At 3 minutes 45 Seconds:

Mixed group of males and females pushing and puling eachother. Females drag a male to the floor next to a silver car.

At 5 minutes 25 Seconds:

A female pushing a male back whilst stood in the middle of male. Male appears to be trying to get to the group who are still pushing oneanother outside the premises. Male manages to get pass the female and runs towards the group and seen to fight with them on the junction with Thane Villas.

At 7minutes 30 Seconds

A marked police van arrives on the scene. Most of the group disperse and run away.

At 7 minutes 53 seconds

Group of about 6 males in the street, one male in the group is later seen fighting and swinging a large pole. This male is easily identifiable as he is wearing black top with kings written on the back and a logo in white. He is in the company of another black male wearing a white shirt. The male in the shirt can be seen earlier stood outside the venue (2minutes 55 seconds on 36059-1).

At 8 minutes 45 Seconds

The marked police van drives away and tops again a short distance down the road before officer exit the vehicle and run over to a group of males who are fighting on the junction of Berriman Road and split them and detain one of the males.

L.B Islington File (36059-2) Approx 42 minutes long

Camera located on the junction with Durham Road

At 40Seconds

Camera pans round and point towards Afasika and captures the same incident albeit from another angle.

At 13 minutes

Camera pans around and points towards Safari Mini Cabs (identified by neon light) 198 Seven Sisters Road.

At 18 minutes 8 seconds

A Black male wearing black top with Kings and a pattern in white on the back of his top seen fighting with another black male. A few males who are stood around at the time intervene however the fighting continues.

At 19 minutes 10 Seconds

A Black male in a dark top tries to hold back the other male wearing the kings top. The male in the kings top appears to have a quick search in some rubbish bags before he is pushed away by more groups of males.

At 21 minutes 37 Seconds

This same male in the kings top picks up a large waves it around and charges towards the group of males he had been fighting with.

At 21 minutes 55 Seconds

The male attempts to swing the pole before being stopped a by another male who takes it off him and manages to prevent him for taking back.

At 2230 minutes

The male with the kings stop can be seen to be pushing another male, a few moments later a marked police van can be seen pulling up with officers exiting the vehicle and approaching the group and detaining one of the males.

The remainder of the footage shows the police officers conducting an area search.

At the time a request was made for the CCTV from that evening but was informed by the DPS the system had been damaged by builders during the refurbishment of the venue.

PLL/11 Exhibit:

NIRT00516263 - 20/04/2018

Police attended AFASIKA 152 SEVEN SISTERS ROAD N7 at 1835 hrs on 20/04/2018 to speak with manager/owner Tekle KIDANE but premises closed for major refurbishment and currently a building site filled with materials and dust and front shutter down .

Police had attended due to a large scale disorder the previous weekend involving weapons eventually and continuing down the road towards FINSBURY PARK area for some time and distance from council CCTV evidence.

Large number of black males of believed East African heritage involved at various stages Some females also involved .Rough headcount from CCTV has at least 20 persons involved. Fights and scuffles also spilled out into busy road causing traffic to avoid or brake also . Sign on shutter states closed for major refurbishment .

KIDANE was inside working with a builder in darkness as all the electrics and cabling are down also .

There was no access to the CCTV cupboard due to rubble bags and ceiling being down . Likely to be closed for at least next 4 weeks while work continues by builders and premises owner .

He will contact licensing team when he has CCTV and ID scanner paperwork or copies if they are still available or not damaged by work going on.

He stated the pool table which was housed in a small room behind the kitchen that you could not use cues in will be resited downstairs when all work is completed .

He did not know how much the substantial work was going to cost as he had not got quotes or strangely how he was going to pay for it he stated .

KIDANE stated he was unaware of the incident or his security staff getting involved that police had called about even though confirmed he had been on the premises at time .

Tekla KIDANE [REDACTED]

CRIS 2708970/18

NIRT00514333

Tekla Kidane confirmed a few days later that CCTV and ID scan information had been lost or damaged by builders.

PLL/12 Exhibit:

Cris 2726572/18

CAD 504/05NOV18

Date: 05/11/2018

Time: 0210

Offence: Violent Disorder

CCTV: Yes

#### Brief Summary

Officers have been called by a MOP to 20 people fighting outside of AFASIKA CAFÉ, 152 SEVEN SISTERS ROAD having broken a tree and using weapons against each other. CCTV was monitoring and captured the incident. Approximately 20 males were seen to be fighting with multiple planks of wood and poles being used as weapons to hit each other with. One male was seen to be collapsed on the pavement. Officers attended and identified 7 suspects who were arrested. 3 were conveyed to hospital. All injuries have been declared as not life threatening or changing.

A number of other males at the scene were spoken to and details obtained but not arrested due to not being identified as aggressors on CCTV.

On speaking with the owner and security man at AFASIKA it has been established that at least 5 of the males involved in this disorder had been in the café just before this incident. One had assaulted another customer and was escorted out of the venue with his friends. The group have walked off and turned left into THANE VILLAS and have returned moments later armed with wooden poles, tree stakes and metal bars. They have returned to the café and started to attack customers that were leaving the venue and the security staff

Outcome: All suspects in this matter have now been interviewed and subject to RUI

PLL/13 Exhibit:

CCTV from inside Afasika

Inside the premises shows group pushing each other, chairs and tables being thrown.

CCTV from Afasika (3\_02\_RR20181105030000)

CAM02 Camera covers the first floor bar area

At 0316.19 hours

Shows a male in a dark top and appearing to call someone over by waving his arms. At the same a

male in a yellow top with a hood and another male in a light short sleeved top (possibly blue) grab hold of the male and lead him out. The DPS who is identified wearing a white shirt assists in leading the male out.

At 0317.11

A male wearing a baseball cap and long jacket can be seen swaying from left to right. At the same time in the far right corner of the screen a fight breaks out between a group of males. There approximately 20 plus people fighting inside the premises

At 0317.25

A male in a dark top with a horizontal pattern on the front picks something up (unclear on the camera) and uses to hit another male who has been knocked to the floor. A male is then seen to throw a chair towards the direction of the male with the patterned top. The dps can be seen by the bar. A table is knocked over and another chair is thrown at a group of males. This time the chair does not go far and the person who throws it is out of view.

At 0317.44

A male in a white shirt is thrown around before he storms towards the bar at which point the DPS grabs him and puts him on the floor. He then picks him up and pushes him in the direction of the front door. At this point more males begin to leave the premises.

At 0318.21

A member of door staff (identified by badge on arm) walks over picks a chair back up then walks towards a the remainder of the males.

At 0319

DPS can be seen to encourage people to leave the premises. Once the area is clear overturned chairs can be seen scattered around the premises.

At 0323

Males can be seen walking in out of the venue drinking from bottles. A male in a white coat with his hood up is seen to leave and reenter the premises without being challenged. DPS and security are not present.

Customers seen ordering a drinking at the bar

At 0329.25

DPS is back inside the premises and appears to be possibly ushering the remaining customers out, however this has little effect as customers continue to drink.

File 3\_02\_r\_20181105022500

At 0249.51

A male in a dark coloured baseball cap tries to push pass the DPS. DPS grabs the male at which point customers intervene and try to assist the DPS by taking hold of the male. The male in the baseball caps appears to be unhappy and with another male wearing a puffer coat as is seen to be squaring up to him. The male in the baseball cap is then led out of premises.

File18\_09\_R20181105030000

At 0316.25

Camera covering the bar area shows the fight from another angle. The DPS is seen to pushing a male out of the premises. Outnumbered the DPS is pushed out the way a male in a yellow hoodied top throws punch at someone. At this point a fight breaks out, the DPS is seen to try and break it up but is knocked to the ground.

At 0317.47

The DPS grabs a male and drags to the floor, another male who is stood opposite pushes the DPS

which such force the shirt the DPS's shirt rips open.

File 24\_12\_R\_20181105030000 Camera covering the external door and part of the pavement.

At 0317.30

Shows tow males coming out of the venue fighting, one of the males appears to throw something at the other male. More customer around 6-7 males are seen to leave the premises and one male is pushed to the floor.

At 0321.55

Males can be seen running back to the venue holding object possibly lumps of wood. One male wearing a light coloured long sleeved shirt is holding a long object runs upto the venue and is stopped by another male, eventually he is pushed away.

Another male with a dark coloured jacket can also be seen to be holding an object.

At 0323.09

Males from the group armed with objects can be seen trying to gain entry.

At 0323.31

A male is hit over the head with a long object by another male who is stood just outside the door. He is hit twice. On the second a piece of material is seen to break off the object.

A fight ensues on the street and the DPS intervenes and tries to break it up.

At 0325.10

DPS is seen to pick up and object that had been left by one of the males. DPS walks up the road and out of view.

At 0326.51

Premises shutters are pulled down.

PLL/14 Exhibit:

LBI street CCTV

Camera on Seven Sisters Road pointing towards Afasika

At 0044

The camera shows large number of males (roughly 25 plus) fighting outside premises. The fracas spills out in the road. Some of the males are armed with long objects and seen swinging them around. One of the males who had been inside the premises is also fighting. He is easily identifiable as he is wearing a yellow hoodie top.

A male is seen to drop to the floor and is rushed by the group. They can be seen to stamping him whilst he is on the floor.

At 0129 A male can be seen using the ling object on someone who is on the floor.

At 0600 police arrive on scene.

PLL/15 Exhibit:

Copies of footage relating to Cris 2726572/18 for distribution

PLL/16 Exhibit:

NIRT00524435 - 09/11/2018

Following a serious disorder that took place outside the location CRIS-2726572/18 a 695 Licensing visit was conducted on FRIDAY 09/11/2018 at AFASIKA BAR/RESTAURANT on 152 SEVEN SISTERS ROAD, N7 7PL

The designated premises supervisor was at the venue and during the 695 compliance visit 3 breaches of the premises license had been found. These breaches were; Not having any SIA staff at the premises after 22:30, not having a working I.D scan in operation and not having training records of your staff.

Due to these breaches a section 19 closure notice was issued to the DPS and the ramifications of it explained.

PLL/17 Exhibit:

Statement from Parkguard officer Daniel Tullet conducted at the premises on 28/12/2018.

PLL/18 Exhibit:

Copies of Parkguard reports.

PLL/19 Exhibit:

Statement from PC 2533CN Peace referring to his visit conducted at the premises on 12/01/2019.

Have you made an application for review relating to the premises before

Please tick ✓ yes

If yes please state the date of that application

Day Month Year

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**If you have made representations before relating to the premises, please state what they were and when you made them**

I made a Representation on behalf of Islington Police licensing to review by the council Noise Team on the 23/02/2018, a copy of the initial representation is attached.

A more substantive statement was produced for the appeal hearing, this information is now included as evidence in this review.

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature *Renee Howie AC 3757 CN*

Date **15 03 2019**

Capacity **Police Licensing Officer for Islington**

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

**Post town**

**Post Code**

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

## **Licensing Authority Representation**

### **Licensing Act 2003**

#### **Application: Afassika, 152 Seven Sisters Road, London, N7 7PL**

I am submitting a representation on behalf of the Licensing Authority in respect to the review application submitted by the Metropolitan Police Service in relation to the above premises.

The premises currently have a licence for the following across the ground floor and the basement:

- The sale of alcohol, recorded music, and performance of dance from 11:00 until 01:00 Sunday, from 11:00 until 00:00 on Monday, from 11:00 on Tuesday and Wednesday, from 11:00 until 01:00 on Thursday, and from 11:00 until 02:00 on Friday and Saturday.
- The provision of late night refreshment from 23:00:00 until 01:00 Sunday, from 23:00 until 00:00 on Monday, from 23:00 on Tuesday and Wednesday, from 23:00 until 01:00 on Thursday, and from 23:00 until 02:00 on Friday and Saturday.

This licence was only granted by consent order, after an appeal submitted in respect of a review received by the Council's Environmental Health team, heard by the Council Licensing Sub Committee on the 26 March 2018. The consent order is dated 18 October 2018.

I have attached a copy of the Licensing Authorities previous representation, a copy of the Council's Licensing Committee decision and a copy of the consent order.

#### **Background to the consent order**

The primary function of the Council and Police Licensing Team is to achieve compliance in licence premises in line with the Licensing objectives.

The licence holder's legal team persuaded the Council that since the hearing on 26 March 2018, that the licence holder had undertaken substantial noise works and the premises (which was a major part of the original review), and that the reduced hours and with additional robust conditions and policies in place, that the licence holder would be able to promote the licensing objectives at this premises.

Unfortunately, this has quite clearly not been the case.

#### **Representation**

The grounds for the representation are:

- Public nuisance
- Crime and disorder
- Public Safety

## **Licensing Policy Considerations**

<i>Licensing Policies 9 &amp; 10</i>	<i>Standards of Management</i>
<i>Licensing Policy 21</i>	<i>Public Nuisance</i>
<i>Licensing Policy 22</i>	<i>Noise from licensable activities</i>
<i>Licensing Policy 25</i>	<i>Dispersal policies</i>
<i>Licensing Policy 29</i>	<i>Review of Licences</i>

## **Summary and recommendations**

Since the consent order was agreed with the licence holder on 18 October 2018 the premises licence holder has continued to breach the terms and conditions of his licence.

The licensing officer spoke to the agent's representing the licence holder after the consent order was agreed and they assured him that the licence holder was fully aware of the terms of the consent order agreed and his obligations as a licence holder.

The agent and the noise consultant also submitted a draft of a dispersal policy which details how the premises would operate at and around closing time. This dispersal policy was a condition of the consent order agreed with the courts.

On the 5<sup>th</sup> November 2018 the Police were called to the premises after a violent incident at the premises where three people ended up in hospital. The details of the incident are contained in the review application by the Police.

The actual incident took place over an hour and half after the premises should have been closed, and the actual licence holder can be seen on the premises on his own CCTV.

On the 9 November 2018 the weekend after the serious incident, a Police licensing officer visited and had to serve a closure notice on the licence holder for significant breaches of his licence.

On the 11 January 2019 Council licensing officers visited the premises, again the ID scanner

and CCTV system at the premises were not working, again in breach of the licence.

Also, even though the licensing officer advised the licence holder they would be re-visiting him, he still failed to clear the premises of customer's, and was witnessed supplying shots of alcohol to persons on the premises, when he should have been closed.

On the 13th January at 2:40 the Police licensing team found 15 customers in the premises, these customers were still consuming alcohol.

The Police licensing team requested CCTV images for weekend of the 11/12/13<sup>th</sup> of January 2019, which is a condition of his licence, and the licence holder was unable to supply it.

In addition, the Licensing Authority has tasked park guard to monitor the premises for breaches, they have found the premises operating after hours on numerous occasions.

Finally, on 20th February 2019 the licence holder was invited to the Council offices for a Police and Criminal Evidence interview.

The purpose of this interview was to give the licence holder an opportunity to explain any mitigating facts or circumstances in relation to any to offences witnessed at the premises before the Council decided on the next course of action.

The licence holder advised that his legal team failed to explain to him that his hours had been restricted with immediate effect by the Consent Order issued by the Court (this was why he was still open on the 5<sup>th</sup> November 2018), and then simply denied that anyone had ever witnessed the premises operating after hours since this date.

He advised that his legal team hadn't ever given him a copy of the dispersal plan, and when it was presented to him in the interview he denied ever seeing it.

The only explanation he attempted to give officers was there were a number of technical issues with the CCTV and scanning systems.

Despite all the licensing officer and the Police attempts to work with the premises and its owner, it has failed, and the way the premises is operated is a risk to public safety and is adding to crime and disorder in the location.

In addition, the premises continue to generate noise complaints, and therefore is causing a

public nuisance.

Therefore, the licensing authority has absolutely no confidence in the licensee's ability to comply with his licence conditions, fully supports this review and I recommend that the licence is revoked.

Terrie Lane  
Licensing Manager  
Islington Council

**12 April 2019**

020 7527 3233



## Islington Licensing Authority Licensing Act 2003

### REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

<b>Your Name</b>	Anne Brothers
<b>Job Title</b>	Noise Liaison Officer
<b>Postal and email address</b>	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk
<b>Contact telephone number</b>	020 7527 3047

<b>Name of the premises you are making a representation about</b>	Afasika
<b>Address of the premises you are making a representation about</b>	152 Seven Sisters Road, London N7 7PL

<b>Which of the four licensing Objectives does your representation relate to?</b>	<b>Yes Or No</b>	<b>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</b>
<b>To prevent public nuisance</b>	Yes	<p>Pollution Team reviewed the premises licence for Afasika in 2018. The application was dated 15 January.</p> <p>The matter was heard by Committee on 26 March and the premises licence was modified to remove the deregulation and reduce hours of trading.</p> <p>The decision was appealed by the licensee but the matter was settled out of Court.</p> <p>The licensee undertook works of sound insulation under the direction of an acoustic consultant but since that time we are still in receipt of calls in relation to noise nuisance and disorder at the premises.</p>

<b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</b>	<p>See attached sheet for listings of calls received and a copy of a noise warning letter sent.</p> <p>I also attach a copy of the calibration certificates detailing agreed maximum levels of sound for Afasika. This was agreed after a survey was carried out and sound insulation works were completed.</p> <p>Due to continuing calls from multiple residents Pollution team supports the Police review and recommendations in respect of this premises.</p>
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Signed: Anne Brothers

Date: 4 April 2019

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR or email to [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

**This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031**

**Noise Calls, Afasika, 152 Seven Sisters Road. March 2018 onwards.**

Date/Time	Details	Outcome
25/3/18, 02:14	Noise of music from the Afasika bar restaurant. Even though the license of the bar is in a process of reevaluation from the council every night after midnight he takes the volume of the music up, so again tonight there is noise from music and people out of the bar.	Called 02:57 arranged a visit. Arrived 03:09 we entered into the communal area and we could hear loud music but before we got to the top of the stairs the music lowered we entered the comps flat and assessed but no music was witnessed. We advised the comp to call if the music goes back up. We left the comps flat and as we got to the door to exit onto the street we could hear a male swearing and arguing with the door supervisors AF called the cctv and they was monitoring the area outside the bar we exited and returned back to the van.
31/3/18, 01:23	Loud music from Afasika bar restaurant	Called back reporter at 01.36hrs who said the noise has reduced to a reasonable level.
6/4/18, 23:19	Music noise from Afasika bar restaurant.	Called 23:40 comp said the music is up and down advised the comp that we will call when we arrive and see how it is then. Arrived 23:50 Called the comp again and the comp said that the music has gone off advised if call or email back of it restarts
5/8/18, 05:28	Lots of people talking loudly and shouting in the outside area behind Afasika Bar & Restaurant	Park Guard report: TIME OF NOTIFICATION - 05:42 We were called to this location to deal with a noise complaint, it was alleged that there was a group outside the venue that was talking very loudly and exhibiting inconsiderate behavior. When we arrived the venue was closed and no one was present at all. There was no further action required, so we called the victim, informed them of the outcome. They thanked us for our quick attendance and we continued our patrol.
5/8/18, 18:50	Noisy party, loud music and dance from Afasika bar restaurant	Called back at 19.31 left message on voice mail. Vste at 19.44 a few patrons outside bar, doors left wide open. No music witnessed.
5/8/18, 21:04	Lots of people shouting very loudly and acting in an intimidating manner outside Afasika Bar & Restaurant, 152 Seven Sisters Road. We were woken up by noise from this Iremesis at 5am, and it had been going on again since the afternoon.	22:01. Called back reporter at who said the noise has reduced.

6/8/18, 03:55	Lots of shouting, arguing and loud music coming from the rear area of Afasika Bar & Restaurant. This is the same as last night.	Web form received out of duty hours.
11/8/18, 04:36	Loud music from Afasika bar restaurant	Web form received out of duty hours.
18/8/18 02:47	Loud shouting and noise coming from Afasiks Bar and restaurant, 152 Seven Sisters Road	Called comp at 03:23. No reply. No voicemail facility. Vste. 04:32. We monitored from outside. The lights were on and the open sign was in the window. We would hear faint music from within from outside the door. The proprietor came to the door and spoke to us. We advised that we had received a complaint to which he expressed surprise. He said that he was locking up and would turn the music off. He did so immediately.
18/8/18, 05:19	Customers of Afasika Bar and restaurant leaving the premises and shouting and screaming on the street. The noise has woken us up	Web form received out of duty hours.
19/8/18, 21:35	Afasika bar restaurant, loud music	Called back reporter at 22.11hrs no answer left a voicemail message. Visited location at 02.17hrs checked given location no noise witnessed from outside the business.
27/8/18 04:24	Lots of noise and shouting coming from Afasika Bar and restaurant, from both the back and front. It is so loud that it woke us up, even with our double glazed windows closed.	Web form received out of duty hours.
30/8/18, 06:20	I was woken up by very loud shouting coming from the back of Afasika Bar and restaurant at 6.10am. I believe this is after the time their licence finishes	Web form received out of duty hours.
3/9/18, 02:39	Woken up by loud screaming and shouting coming from Afasika Bar and restaurant	Web form received out of duty hours.
24/9/18, 04:18	Loud music from from Afasika bar	Called the resident. Confirmed we are visiting tonight at 21:00 to test sound levels at the premises and after tonight he should not be disturbed. Told him that if noise continues we will have to take further action against the licensee.
25/9/18	<b>Sound testing carried out in the company of the licensee and his acoustic consultant.</b>	

14/10/18, 04:49	Afasika bar restaurant, people fighting on the street outside the bar	
5/11/18, 02:24	Street fighting and noise from clients of Afasika Bar restaurant	Park Guard/Night Safe report: Call received at 0230hrs. We were called to this location to reports of a fight taking place outside of the venue. We met with Police Officers, PC3229CN, PC1825CN and PC3163CN who had been called here regarding the incident, along with their colleagues and the London Ambulance Service. On our arrival there was no altercation taking place, however we were informed by the Police Officers that four males from the venue, had been involved in a fight, a bottle had been used on one of the males as well as some wood planks. Police Officers asked our Medic to assess one of the males, due to his injuries. P1 was found to have a small cut to his eyebrow, which was dressed with a fabric plaster. The four males including P1 were all arrested at the scene, one of the males was conveyed to hospital, due to his injuries, however we did not assess this male. Once the Police Officers had departed, we left the venue too. All appeared in order on our departure.
5/11/18, 02:34	We were woken up by a huge fight involving the customers of Afasika Bar and restaurant fighting outside the premises, and all the way down the street. They were throwing pieces of wood at each other. The police were called and four cars arrived. The customers exited and carried on making large amounts of noise	As above
10/11/18, 21:17	Loud music above the set limit from Afasika Bar Restaurant	Called back reporter at 21.43hrs noise reduced to a reasonable level.
11/11/18, 00:06	Loud music above the set limit from Afasika bar	Called back at 00.17 visited in Callers studio flat @ 00.35 windows were closed and it was a wet night. No noise witnessed other than the traffic movement. Comp said they had turned down the noise shortly before our arrival. Advised caller.
28/12/18, 02:26	Noise of music and people from Afasika Bar Restaurant.	Controller note: called at 02:29. explained that we are closed. callers says he is still playing the music after the times of their licence. Park Guard/Night safe report: vste 02:42. spoke with the manager and informed him of noise complaints. we told him he should not be open. he said he stopped at 2 am but Louise saw him serve alcohol

3/1/19, 23:26	Loud music from Afasika bar restaurant	Called back at 23.48 noise had reduced.
4/1/19, 23:33	Afasika bar plays loud music beyond the set limit. It is a People are also dancing and making noise. It is a recurring incident that is happening almost every day. The owner is quite disrespectful for music limits and the noise. Could you please visit the bar and check. I would like to remain anonymous. I wouldn't like a visit to my flat.	Called back at 23.55 agreed to visit. Arrived in Caller's studio flat at 00.03 very low level music witnessed from bar with traffic movement from Seven Sisters St. Music was not unreasonable and wouldn't affect the average person from sleeping. Complainant agreed with my assessment, but claimed music was lowered just before we entered her building.
6/1/19, 01:44	Park Guard/Night safe report	We arrived at 0144hrs and noticed the venue was still open. The venue is supposed to close at 0100hrs. There was one male outside smoking and we could see around six people inside drinking. One male had a pint of alcohol in front of him which we believe was fresh as only a couple of sips had gone from it. There was no door staff present at this time. When the male went inside after smoking, the lights were switched on. The manager came out at 0147hrs to speak with us and we asked him what time he was closing. He replied "WE ARE CLOSING NOW". We remained to monitor the people leaving. The first person left at 0158hrs the others remained inside drinking their drinks. At 0202hrs a male came out to smoke a cigarette then returned inside. A female brought the rubbish out at 0209hrs and some more of the customers left at 0210hrs. Three customers remained inside and we could see they were still drinking their drinks at 0212hrs. At 0213hrs they left the door wide open and we could hear three customers inside. We were in the van with the windows closed and we could still hear them. Another male left at 0226hrs. One female and one male customer remained inside as well as the staff and the Manager locked the door. This location is tasked for noise and special license conditions.
5/2/19, 00:25	For several nights in a row the noise from the bar is too loud that prevents me from sleeping. That has been reported several times previously. And although the bar has been refurbished (that helped with the noise), there are days that the noise is too loud. I'm sure they can work with a lower music volume. During summer you can't	Called 0113 noise has now stopped and the bar is now closed. Advised comp to call back if the noise restarts.

	even open the windows because of the loud noise (both from customers and music) until 3-4 o'clock in the morning.	
23/3/19, 02:18	The club/bar underneath my property has progressively been getting noiser and out of control. It's now 2am, i've got back from a night out and its so loud it sounds like it's in our property. Screaching and cheering. There are also people weeing the in street outside and being aggressive. I've had patrons approach me being physically aggressive in the past.	Controller note: also passed to late night levy to address unrully patrons currently outside. LNL report: Arrival 0245. Area search no trace. Out of hours report: Called at 03:11 left a message.

Pollution Team  
222 Upper Street  
London N1 1XR

T 020 7527 3047  
F 020 7527 3059  
E [anne.brothers@islington.gov.uk](mailto:anne.brothers@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: abr/180031388  
Your ref:

Date: 6 February 2019

Afasika Bar and Restaurant Limited  
152 Seven Sisters Road  
London N7 7PL

This matter is being dealt with by:  
**Anne Brothers**

Dear Sir

**ALLEGED NOISE NUISANCE FROM AMPLIFIED SOUND. AFASIKA, 152 SEVEN SISTERS ROAD, LONDON N7 7PL. LICENSING ACT 2003. ENVIRONMENTAL PROTECTION ACT 1990**

I have to inform you that since the sound setting exercise on 25 September last year we have begun receiving calls from residents in close vicinity informing us they can hear the music from Afasika.

You will be aware of the following conditions on the premises licence:

- All amplified sound on the premises is to be played via dedicated in-house permanently installed sound systems under the continual control of a working automatic amplified music noise level limiting device to a maximum threshold amplified noise level to the satisfaction of the Council.

This means that all amplified sound must be limited to the levels agreed with us.

- The controls of the automatic amplified music limiting device are to be secured and made inaccessible to anyone except the licensee and a named nominated alternative. Musicians, DJs etc. are to be denied access to the controls of the automatic amplified music noise level limiting device.

This means that the limiter device must not be accessible to anyone other than you or your nominated responsible deputy.

- The controls of the automatic amplified music noise level limiting device shall not be altered so that the maximum threshold amplified noised level is increased without the prior approval in writing of the Council. Council approval to increase the maximum threshold amplified noise level of the automatic amplified music limiting device shall not be granted without the prior submission to, and acceptance by the Council. The licensee shall submit a copy of a report to the Council from a competent acoustic consultant assessing the impact of increasing the maximum threshold amplified noise level, and confirming the implementation of any works or steps necessary to ensure that such a change will not result in undue disturbance or nuisance to occupiers of neighbouring or nearby residential premises.

This means that the device must not be adjusted or altered from the settings made on September 25 last year unless we get a report from your acoustic consultant detailing any additional measures you have taken in order not to disturb your neighbours.

Your acoustic consultant Shaun Murkett sent us calibration certificates dated September 2018 detailing the maximum levels of sound at the premises. I cannot understand why residents are calling us again in relation to disturbance caused by amplified sound unless the limiter is deliberately taken out of use by you or your associates. I have to inform you that one report indicates that sound levels were witnessed at above the agreed levels of sound.

I have to warn you that if we continue to receive calls in relation to music noise from the premises and if we witness noise again at above the agreed levels from resident's homes we will require you to re-contact your acoustic consultant in order to check the limiters and provide us with new calibration certificates. This would mean more expense to you which I am sure you would want to avoid. In addition, we would have to consider the position with regards to contraventions of the Section 80 abatement notice served on you in November 2017 under the provisions of the Environmental Protection Act 1990 and contraventions of the licence conditions discussed in this letter.

Current levels of fines for contravention of the Section 80 abatement notice are unlimited for commercial premises. In addition, should nuisance be witnessed we may make an application for a warrant in order to enter the premises by force if necessary in order to seize noise making equipment.

I have to warn you of the above enforcement options available to the Council if we witness contraventions of the premises licence and/or the abatement notice and would suggest you may want to consider contacting Shaun Murkett proactively in order for him to check the limiter system and correct it.

Yours faithfully,



**Anne Brothers**  
**Principal Technical Officer**

cc. Tekle T Kidane, DPS, Flat 11, Hillfield House, Grosvenor Avenue, London N5 2NS

## Certificate of calibration. Sept 2018

This is a certificate of calibration for the sound controlling equipment installed at the Afasika Bar, 152 Seven Sisters road, Islington, N7 7PL, under the management of Teckle. The noise limiting device installed is an additional AVC D Formula Sound controller sound limiter, for the sound system, to control internal sound levels in the **ground floor restaurant bar.**

The sound system comprised lap top and tv inputs to a Cloud CX263 Zoner then to the sound limiter then to the QSC power amplifier connected to the four small full range JBL Control 1 Pro loudspeakers, all mounted on anti-vibration foam shelves. To fulfill the conditions of the local authority entertainment licence for this establishment, and to keep external noise breakout to a minimum, with inaudibility at the residents, a limit on the internal music sound level from amplified music has been agreed.

The AVC D sound controller limiter has been set for the ground floor to an internal music sound level limit of:-

80 dB Leq <sub>1 min.</sub> linear, 74 dBA Laeq <sub>1 min.</sub>, 64 dB at 63 Hz; 77 dB at 125 Hz.

Measured at around center of bar, at 2 m from the nearest loudspeaker.

This calibration was made with a Bruel and Kjaer type 1 2260 sound level meter in accordance with relevant British Standards, at around 11 pm on the evening of 25<sup>th</sup> September 2018, with full sound tests for inaudibility in residents, accompanied by the noise team, and Shaun Murkett and witnessed by the bar manager and licensing staff of local authority.

This calibration is valid only for the equipment as specified above, and for one year only. It is generally part of the licence conditions to inspect and re-calibrate the limiters annually by a professionally qualified consultant accredited by the Institute of Acoustics to satisfy local authority requirements.



Shaun Murkett 25<sup>th</sup> September 2018

1 Clissold Road, Stoke Newington, London N16 9EX

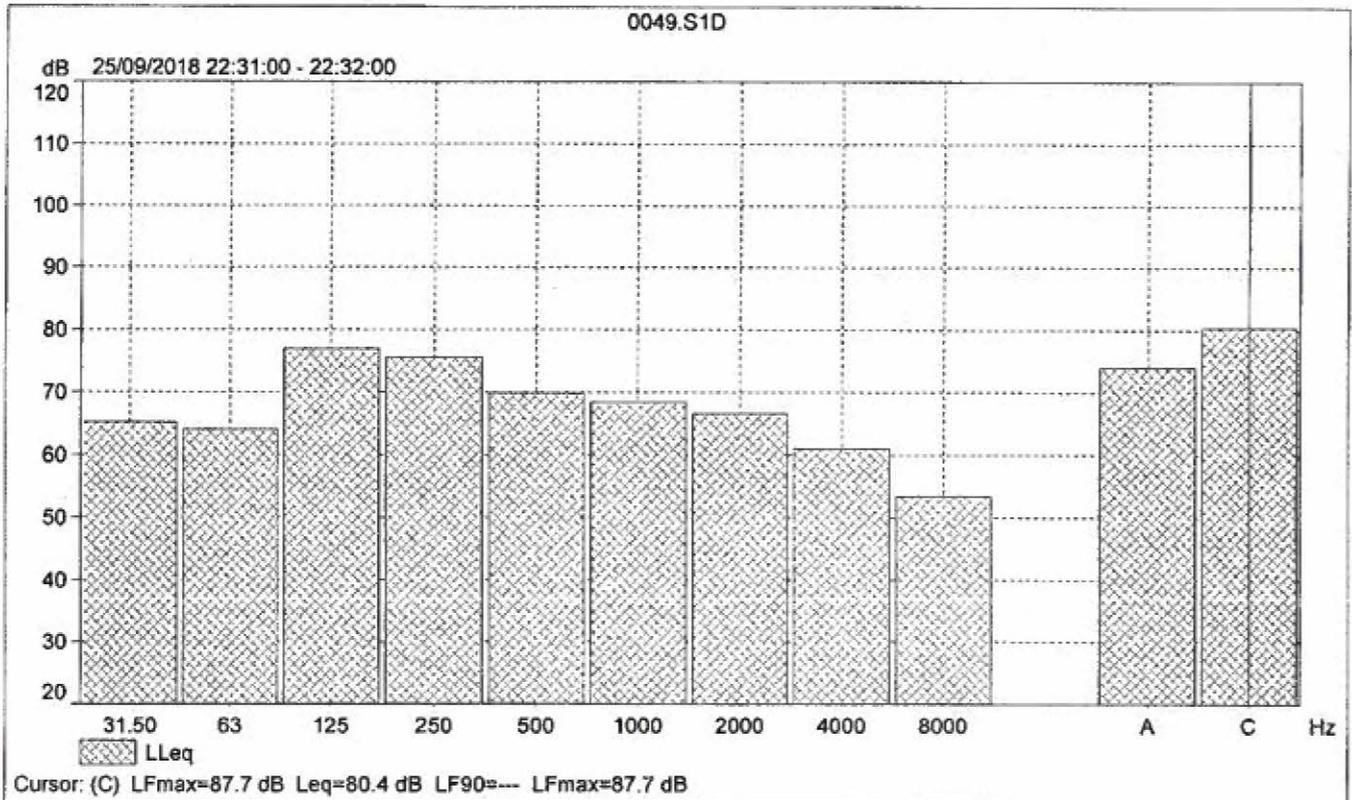
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www.shaunmurkett-acoustics.co.uk

Managing Director and Principal Consultant: Shaun Murkett BSc. C.Eng. MIEE. MIOA

Registered company no.3708245 VAT reg no. 778-2825-80



Octave frequency spectrum of sound of music measured in ground floor restaurant room, around centre of room, at about 2 metres from nearest speaker.

Sound limiter calibration, accompanied by Local Authority staff, and monitoring for inaudibility at residents.

Afasika bar, 152 Seven Sisters road , Islington, London .

25th September 2018

Sound level 80 dB L<sub>C</sub>eq 1min , ( 74 dBA L<sub>A</sub>eq. 1 min.)

## Certificate of calibration.    Sept 2018

This is a certificate of calibration for the sound controlling equipment installed at the Afasika Bar, 152 Seven Sisters road, Islington, N7 7PL, under the management of Teckle. The noise limiting device installed is an additional AVC D Formula Sound controller sound limiter, for the sound system, to control internal sound levels in the **ground floor rear tv room.**

The sound system comprised lap top and tv inputs to a Cloud CX263 Zoner then to the sound limiter then to the QSC power amplifier connected to the four small full range JBL Control 1 Pro loudspeakers, all mounted on anti-vibration foam shelves. To fulfill the conditions of the local authority entertainment licence for this establishment, and to keep external noise breakout to a minimum, with inaudibility at the residents, a limit on the internal music sound level from amplified music has been agreed.

The AVC D sound controller limiter has been set for the ground floor to an internal music sound level limit of:-

80 dB Leq <sub>1 min.</sub> linear, 74 dBA Laeq <sub>1 min.</sub>, 53 dB at 63 Hz; 66 dB at 125 Hz.

Measured at around center of room, at 1.5 m from the nearest loudspeaker.

This calibration was made with a Bruel and Kjaer type 1 2260 sound level meter in accordance with relevant British Standards, at around 11 pm on the evening of 25<sup>th</sup> September 2018, with full sound tests for inaudibility in residents, accompanied by the noise team, and Shaun Murkett and witnessed by the bar manager and licensing staff of local authority.

This calibration is valid only for the equipment as specified above, and for one year only. It is generally part of the licence conditions to inspect and re-calibrate the limiters annually by a professionally qualified consultant accredited by the Institute of Acoustics to satisfy local authority requirements.



Shaun Murkett    25<sup>th</sup> September    2018

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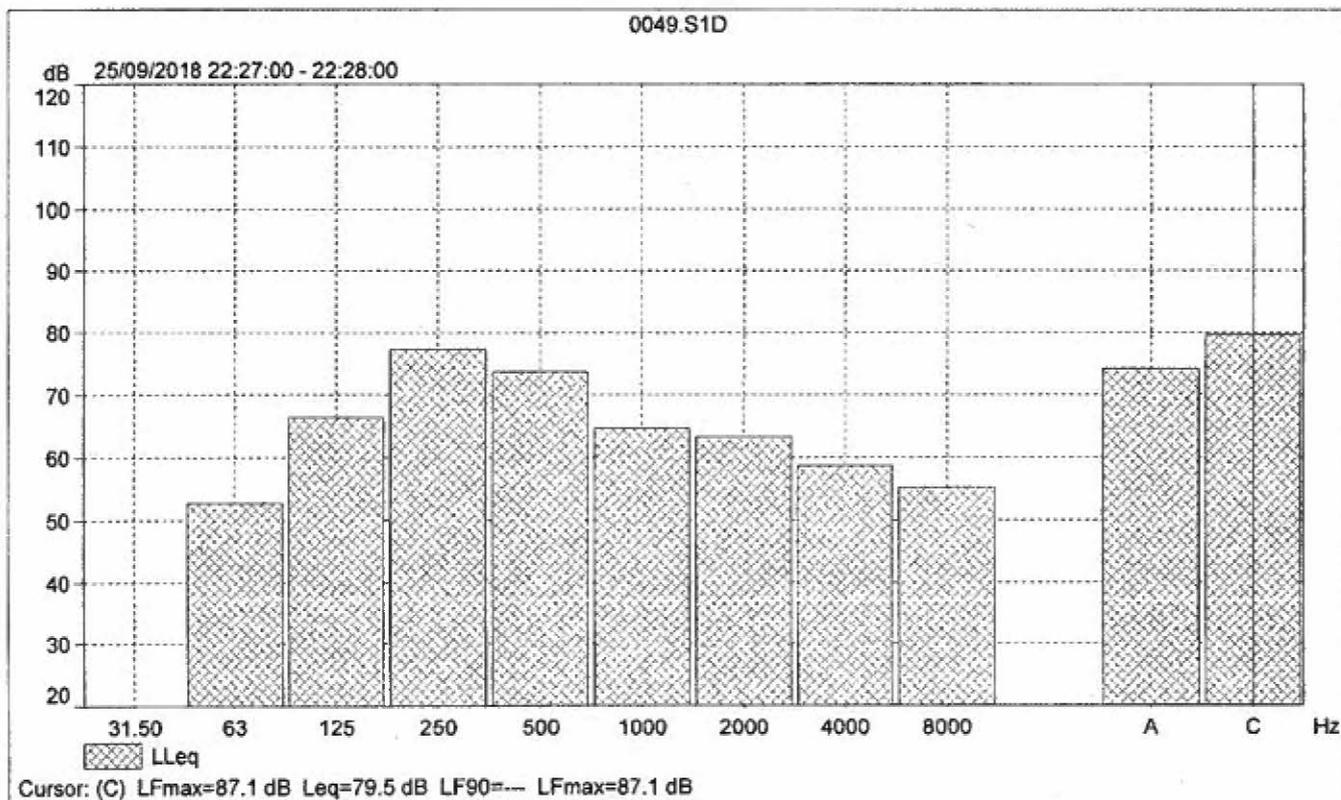
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Octave frequency spectrum of sound of music measured in ground floor TV room, around centre of room, at about 1.5 metres from nearest speaker.

Sound limiter calibration, accompanied by Local Authority staff, and monitoring for inaudibility at residents.

Afasika bar, 152 Seven Sisters road , Islington, London .

25th September 2018

Sound level 80 dB L<sub>C</sub>eq 1min , ( 74 dBA L<sub>A</sub>eq. 1 min.)

## Certificate of calibration. Sept 2018

This is a certificate of calibration for the sound controlling equipment installed at the Afasika Bar, 152 Seven Sisters road, Islington, N7 7PL, under the management of Teckle. The noise limiting device installed is an AVC D Formula Sound controller sound limiter, serial number 027113 for the sound system, to control internal sound levels in the **basement restaurant bar**.

The sound system comprised lap top and tv inputs to a Cloud CX263 Zoner then to the sound limiter then to the QSC power amplifier connected to the four small full range JBL Control 1 Pro loudspeakers, all mounted on anti-vibration foam shelves. To fulfill the conditions of the local authority entertainment licence for this establishment, and to keep external noise breakout to a minimum, with inaudibility at the residents, a limit on the internal music sound level from amplified music has been agreed.

The AVC D sound controller limiter has been set for the ground floor to an internal music sound level limit of:-

86 dB Leq <sub>1 min.</sub> linear, 83 dBA Laeq <sub>1 min.</sub>, 67 dB at 63 Hz; 79 dB at 125 Hz.

Measured at around center of bar, at 2 m from the nearest loudspeaker.

This calibration was made with a Bruel and Kjaer type 1 2260 sound level meter in accordance with relevant British Standards, at around 11 pm on the evening of 25<sup>th</sup> September 2018, with full sound tests for inaudibility in residents, accompanied by the noise team, and Shaun Murkett and witnessed by the bar manager and licensing staff of local authority.

This calibration is valid only for the equipment as specified above, and for one year only. It is generally part of the licence conditions to inspect and re-calibrate the limiters annually by a professionally qualified consultant accredited by the Institute of Acoustics to satisfy local authority requirements.



Shaun Murkett 25<sup>th</sup> September 2018

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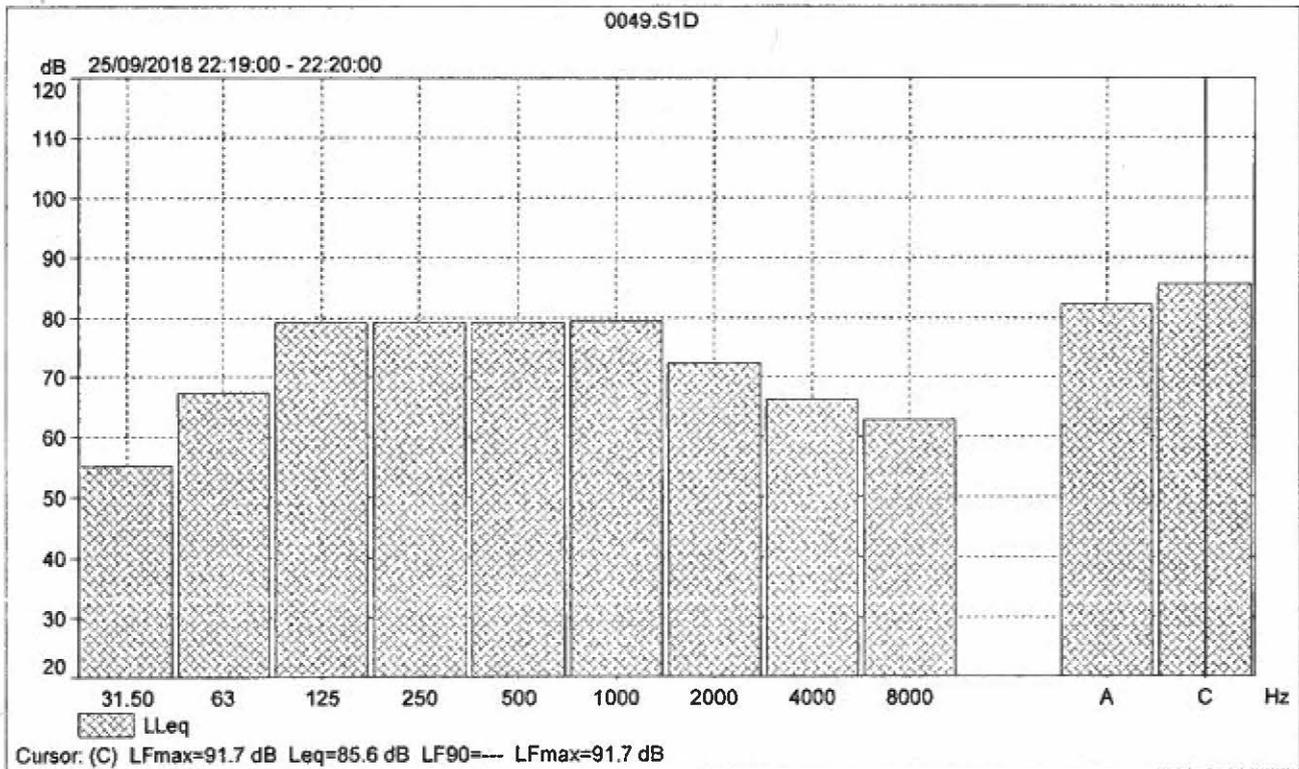
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Managing Director and Principal Consultant: Shaun Murkett BSc. C.Eng. MIEE. MIOA

Registered company no.3708245 VAT reg no. 778-2825-80



Octave frequency spectrum of sound of music measured in main basement music room, around centre of room, at about 2 metres from nearest speaker.

Sound limiter calibration, accompanied by Local Authority staff, and monitoring for inaudibility at residents.

Afasika bar, 152 Seven Sisters road , Islington, London .

25th September 2018

Sound level 86 dB L<sub>C</sub>eq 1min , ( 83 dBA L<sub>A</sub>eq. 1 min.)

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Acoustic Consultants Ltd.  
tel 020 7923 7275

## Licensing Act 2003 Representation from Camden and Islington Public Health

**AFASIKA, Basement and Ground Floor, 152 Seven Sisters Road, N7 7LP**

We are submitting a representation in support of the licence review for the above premises, which has been called by the Metropolitan Police. This representation is on behalf of Camden and Islington's Public Health Department, which is a responsible authority. The grounds for the representation are:

- Prevention of crime and disorder
- Public safety

Public Health are concerned that the evidence provided by the Metropolitan Police shows that Afasika has not upheld its responsibility for preventing crime and disorder and maintaining public safety. In particular, Public Health are concerned about the late closing hours of the premises. There have been two counts of violent disorder involving weapons since April 2018, and both have taken place after midnight.

The premises is located on Seven Sisters Road in the Finsbury Park ward, within the Holloway and Finsbury Park Cumulative Impact Area described in Islington's Licensing Policy 2018-2022. The area experiences substantial alcohol-related harms.

The impact of alcohol is particularly great in Islington with some of the greatest levels of alcohol-related problems in London<sup>1</sup>, including:

- The fourth highest rate of alcohol-specific hospital admissions in London 2017-18
- The third highest rate of alcohol-related hospital admissions in London 2017-18
- The eighth highest rate of alcohol-specific mortality of all London boroughs 2015-17

### **Alcohol and violence**

Harmful use of alcohol is a major contributor to violence. Studies have shown that violence can be cut by reducing the availability of alcohol through regulating sales outlets and hours<sup>2</sup>. In 2017/18, the Crime Survey for England and Wales reported that victims of violent incidents believed the perpetrator(s) to be under the influence of alcohol in 39% of all violent incidents<sup>3</sup>. National evidence shows alcohol-related violent incidents are disproportionately high late at night, with 84% occurring between 00.00 and 6.00, compared to 23% between 12.00 and 18.00<sup>4</sup>.

### **Ambulance callouts**

The London Ambulance Service records all incidents that it is called to. Where the ambulance crew suspect alcohol is a factor in the incident, this is "flagged" on the system independently of

<sup>1</sup> LAPE Data <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

<sup>2</sup> [https://www.who.int/violence\\_injury\\_prevention/violence/alcohol.pdf](https://www.who.int/violence_injury_prevention/violence/alcohol.pdf)

<sup>3</sup> Crime Survey for England and Wales 2017/18

<sup>4</sup> Public Health England (2017). *The Public Health Burden of Alcohol and the Effectiveness and Cost-Effectiveness of Alcohol Control Policies: An evidence review*. Public Health England.

Available at: <https://www.gov.uk/government/publications/the-public-health-burden-of-alcohol-evidence-review> [Accessed 22 Nov. 2017].

illness or incident type. The callout location recorded is that to which the ambulance attended, and therefore gives a good indication of alcohol-related activity in a geographical area. Alcohol-related ambulance callouts highlight the immediate harms of alcohol on health and thus the risk to physical safety that alcohol causes. The callouts are recorded at Lower Super Output Area (LSOA) level, a geographical area in which an average 1,500 residents live.

The LSOA in which Afasika is located experienced 20 related ambulance callouts, with 35% between 23.00 and 5.00, for the date period of April 2017-March 2018. Within a 250m radius of Afasika, there were 21 alcohol-related ambulance callouts between April 2017 and March 2018.

### **Recommendation**

Afasika is located in the Holloway and Finsbury Park Cumulative Impact Area, which experiences substantial alcohol-related harms and places a high burden on frontline services.

Camden and Islington's Public Health Department recommends that the committee takes account of the impact of alcohol-related harm in Islington in considering the recommendations made by the Metropolitan Police, including considering the revocation of this licence.

## **Residential rep**

Hello,

I've recently sent in a complaint about this venue and have been made aware that it's license is up for review. I work in the drinks business and have a personal license myself - as such, i think it's my duty to recommend this venue does not get their license back.

The sound levels from inside the club due to music have been extremely loud in the early hours of the morning multiple times. Sometimes till 3 and 4 am.

Patrons have been physically aggressive towards myself and others before. Clearly intoxicated beyond their own control.

I've seen patrons vomit and urinate on cars on the street outside with no effort from staff to help or get them home.

I've also seen security staff getting involved in fights.

The premise owners and license holders clearly don't consider themselves responsible for their guests or the area around them.

Thanks,

**Suggested conditions put forward by Responsible Authorities in response to the application for review:**

None applicable