

Public Protection/Licensing
222 Upper Street, London
N1 1XR

Report of: Director of Public Protection

Meeting of: Licensing Sub-Committee

Date: 04/08/2022

Ward(s): St. Peter's & Canalside

Subject:

PREMISES LICENCE NEW APPLICATION

Re:

**Arsh Convenience, 338 Upper Street, London,
N1 0PB.**

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, Mondays to Saturdays from 09:00 until 23:00 and Sundays from 09:00 until 22:30; and
- The premises to be open to the public, Mondays to Sundays from 07:00 until 01:00 the following day.

1.3. Relevant Representations:

Licensing Authority	No
Metropolitan Police	No: Conditions agreed
Noise	No
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: One local resident
Other bodies	No:

2. Recommendations

- 2.1. To determine the application for a new premises licence under Section 17 of the Licensing Act 2003;
- 2.2. These premises are located in the Angel and Upper Street Cumulative Impact Area therefore the Licensing Sub-Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Sub-Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.
- 2.3. If the Licensing Sub-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); and
 - ii. Any conditions deemed appropriate by the Licensing Sub-Committee to promote the four licensing objectives.

3. Background

- 3.1. This new premises licence application was received by the licensing service on 13th June 2022.
- 3.2. The Metropolitan Police submitted a representation in response to the proposed premises licence however, they have now agreed conditions of approval and withdrew their representation. These conditions are detailed at Appendix 3 of this report.
- 3.3. At the time of writing this report there was one outstanding representation from a local resident. This representation can be found at Appendix 2.

4. Implications

4.1. Financial Implications

- 4.1.1. The Head of Finance reports that the applicant has paid the application fee of £315.00. Should the application be refused, the fee is not refundable.

4.2. Legal Implications

- 4.2.1. The legal implications are set out in Paragraph 2.
- 4.2.2. Legal advice will be provided at the meeting of the Licensing Sub-Committee as necessary.

4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

- 4.3.1. The Licensing Sub-Committee need to consider the impacts that that proposals will have on the environment. An impact is defined as any change to the environment, whether positive or negative, wholly or partially resulting from Council activities. Almost all human activity has some impact on the environment, and it is very unlikely that any activity will not have any implications.

4.4. Equalities Impact Assessment

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in

public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2. An Equalities Impact Assessment is not required in relation to this report, because this is a decision relating to a Premises Licence application under the Licensing Act 2003.

4.5. **Planning implications**

4.5.1. The property is not a listed building but is located within the Angel conservation area.

4.5.2. Relevant Planning History:

- Planning permission was granted on the 07/11/1985 for the “Change of use of ground floor and basement from office use to a retail shop” ref: 850957. There are no relevant conditions relating to opening hours of premises or any other matters relevant to the license application.

4.5.3. The property has established retail use a shop use now within Use Class E of the Use Classes Order 1987 (as amended).

4.5.4. There are no planning enforcement cases open in relation to the property.

5. Conclusion and reasons for recommendations

5.1. That the Licensing Sub-Committee determines this application.

Appendices:

Appendix 1: application form;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

Background papers:

- None.

Final report clearance:

Signed by:

A handwritten signature in black ink, appearing to read 'James Gibbons', written in a cursive style.

25/07/22

Service Director Public Protection and Regulatory Services

Date:

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

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

Your reference

sgl:202268

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Talha

* Family name

Gulam

* E-mail

s.gibson@sglicensing.co.uk

Main telephone number

01476 589250

Include country code.

Other telephone number

07976844694

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

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

11429132

Business name

KS Gifts Ltd

If the applicant's business is registered, use its registered name.

VAT number

- n/a

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

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Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Arsh Convenience"/>
Street	<input type="text" value="338 Upper Street"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="N1 0PB"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="02072269692"/>
Non-domestic rateable value of premises (£)	<input type="text" value="43,750"/>

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

The premises is to trade as a convenience store and is looking to sell alcohol as part of the offer for consumption off the premises.

We are aware that this type of premises falls within the special policy in relation to cumulative impact in respect of shops, giving the rebuttable presumption that such applications will be refused. I would ask that this application be taken on its

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own merits, with attention paid to the conditions offered in the operating schedule which, in our opinion showa the premises will not add to the cumulative impact of any of the Licensing Objectives.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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

Name

First name

Family name

Date of birth

/ /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

n/a

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

The licensee shall ensure that all staff are trained on relevant matters, including the conditions of the premises licence, age restricted products and [if they are ever left in charge of the shop] the operation of the CCTV system and how to deal with visits from authorised officers. The licensee shall keep written records of training and instructions given to each member of staff, detailing the areas covered to include the Licensing Objectives, identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing. Staff shall sign to confirm that they have received and understood the training. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. The written training records kept for each staff member will be produced to police & authorised council officers on request. The licence holder and staff will attend any offered Trading Standards training in the sale and supply of alcohol.

b) The prevention of crime and disorder

CCTV shall be installed, operated, and maintained, to function all times that the premises are open for licensable activities. This CCTV shall 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.
 - (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
 - (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
 - (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
 - (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
 - (f) The system will record in real time and recordings will be date and time stamped;
 - (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
 - (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act 1998) within 24 hours of any request.
- No beers lagers or cider above 6.5% ABV to be sold from the premises except for pre-agreed premium products. Copies of all invoices for the purchase of alcoholic products will be kept on-site and made available for inspection by the authorities for a period of at least 12 months.

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

- (a) Any and all allegations of crime or disorder reported at the venue
- (b) Any and all complaints received by any party
- (c) Any faults in the CCTV system
- (d) Any visit by a relevant authority or emergency service
- (e) Any and all ejections of patrons
- (f) Any and all seizures of drugs or offensive weapons
- (g) Any refusal of the sale of alcohol.

In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:

- (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
- (b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
- (c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;
- (d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times

Continued from previous page...

during operating hours.

Notices will be prominently displayed by the entry/ exit.

- A) That CCTV is in use & a Challenge 25 proof of age policy is in operation;
- B) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
- C) Of the permitted hours for licensable activities & the opening times of the premises;
- D) Not to drink in the street;

A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

No alcoholic goods or tobacco products will ever be purchased or taken from sellers calling to the shop .

19. No spirits shall be purchased in a resealed box .

20. The licensee will immediately report to trading Standards any instance of a caller to the shop attempting to sell alcohol or tobacco products .

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premise of this size.

All off sales will be sold in sealed containers.

d) The prevention of public nuisance

Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.

In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.

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 quietly.

No refuse will be placed on the street more than 30 minutes before collection.

The delivery of licensable goods shall be restricted to the hours between 07:00 and 23:00 Monday-Saturday. No deliveries shall be made on a Sunday or Bank Holiday.

The outside frontage shall be swept and cleared of any rubbish and smoking litter associated with the business at the end of trade each evening.

Any music shall be restricted to ambient background levels of sound.

e) The protection of children from harm

Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, HM forces photographic iID card or proof of age card with the PASS logo or hologram on it may be accepted as proof of age.

Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme.

A notice will be displayed at the till either electronically or physically to remind staff to ask for identification .

The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

Continued from previous page...

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed six months, with the date and time of the verbal reinforcement/refresher training documented.

All such training undertaken by staff members shall be fully documented and recorded. All training records will be kept at the premises and made available to officers of any responsible authority upon request.

The premises shall at all times maintain and operate refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book will be kept at the premises and made available to officers of any responsible authority upon request.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

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- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1> to upload this file and continue with your application.

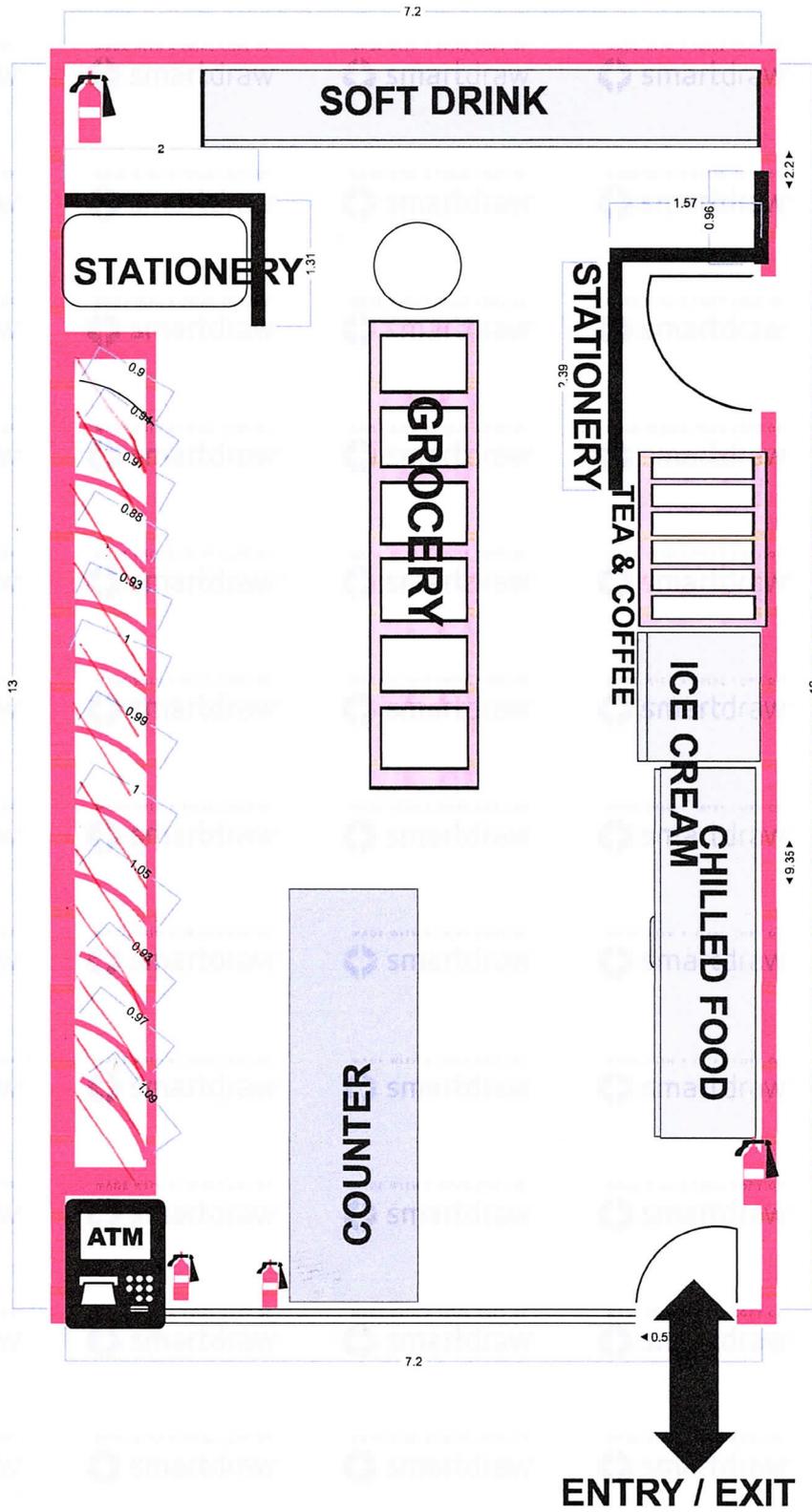
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text" value="sgl:202268"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>



LICENSABLE AREA

Whitton, Daniel

From: [REDACTED]
Sent: 06 July 2022 16:23
To: Licensing
Subject: RE: Premises Licence Application: ARSH CONVENIENCE, Basement And Ground Floor, 338 Upper Street, Islington, London, N1 0PB.

Follow Up Flag: Follow up
Flag Status: Flagged

[External]

I object to this application.

I live in Duncan Terrace overlooking the green bank and take part in the community gardening. The first thing we have to do on those days is to remove the rubbish left on the green bank and thrown into the gardens particularly those either side of the end of Charlton Place. There are always empty glass quarter bottles of cheap wine and empty cans of strong lager. Street drinkers sit on the bank ,the steps or the wall and they also congregate outside St John's church.

The empties constitute a danger to children who play on the green banks and to animals both wild and domestic and the presence of street drinkers can lead to anti-social behaviour and in some cases violence as the alcohol adds to mental health problems.

If one looks at the off licence outlets in the immediate area Camden Passage itself has Tesco at one end and Amazon Fresh at the other. Frequency at number 13 Camden Passage can also sell a range of alcohol. The other outlets sell specialised or expensive alcohol tied, in the main, to a specific region namely Japan Italy and France.

Most of the restaurants which do take away in the area are also licenced and have an off licence to sell alcohol with take away meals . Anyone wanting a drink with their food can therefore get it from the restaurant.

The likely clientele for a convenience store in this location is people wanting cheap alcohol without having to have a meal or face the checkouts at Tesco or use the app for Amazon Fresh. This includes street drinkers and those preloading prior to an evening out. Arsh Convenience is near three bus stops used by schoolchildren and those coming to Islington for the night life, very near to Islington Green and the closest convenience store for the north end of the Duncan Terrace and Colebrooke Row gardens and to Camden Passage where I have seen people sleeping under the canopies with empty cans of alcohol by them.

The applicant it aware that this property is on a cumulative impact area but has not really addressed the issue of how this licence will not add to the cumulative impact. There is no offer to limit the types of alcohol sold or the pricing or the amount of space dedicated to alcohol. Even with such restrictions the issue is the people likely to buy the alcohol. Such an outlet will attract problem drinkers.

Problem drinkers put a strain in the emergency services and the Council especially those who have to clean the streets.

The Council refused an alcohol licence for Angel Food and News in Duncan Street and also what was the convenience store on the corner of upper Street and Berners Row (near the Business Design Centre)it should refuse this one.

Suggested conditions of approval consistent with the operating schedule

1. A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.
2. No alcoholic goods or tobacco products will ever be purchased or taken from sellers calling to the shop.
3. No spirits shall be purchased in a resealed box.
4. The licensee will immediately report to trading Standards any instance of a caller to the shop attempting to sell alcohol or tobacco products.
5. Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police.
6. All off sales will be sold in sealed containers.
7. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
8. In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.
9. 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 quietly.
10. No refuse will be placed on the street more than 30 minutes before collection.
11. The delivery of licensable goods shall be restricted to the hours between 07:00 and 23:00 Monday-Saturday. No deliveries shall be made on a Sunday or Bank Holiday.
12. The outside frontage shall be swept and cleared of any rubbish and smoking litter associated with the business at the end of trade each evening.
13. Any music shall be restricted to ambient background levels of sound.
14. Challenge 25 shall be operated as the proof of age policy. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme.

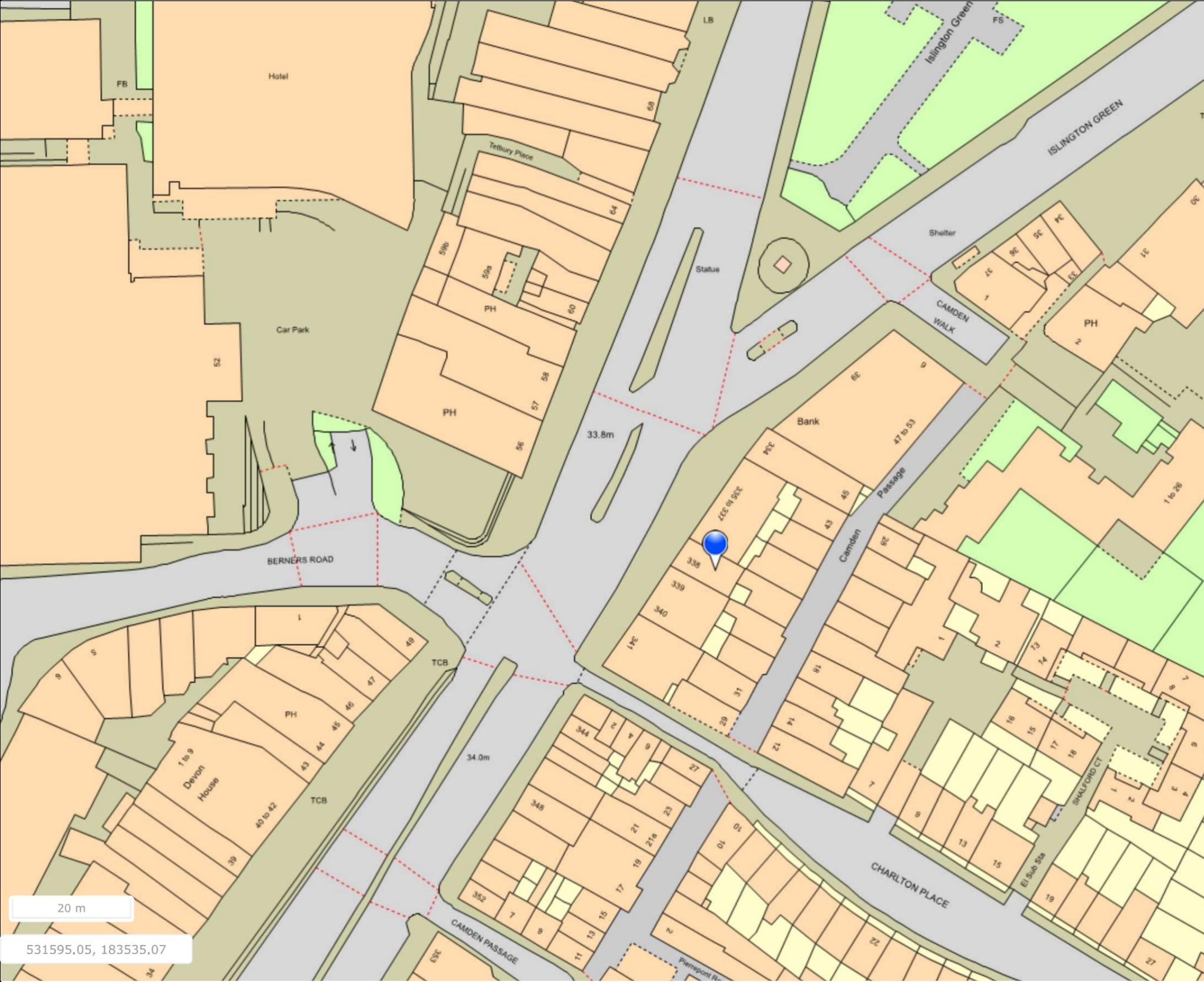
Conditions proposed by the Metropolitan Police

15. 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 time 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 coverage of 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, and
 - g. At all times the premises are open for licensable activity, 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.
16. Clear and prominent signage will be displayed at the entrance/exit highlighting:
 - a. CCTV in operation;
 - b. Challenge 25 Proof of Age Scheme in operation;
 - c. Residential Area: Please be respectful of our neighbours and leave quietly; and
 - d. Islington is in its entirety a Controlled Drinking Zone. Consuming alcohol in the street is not permitted.
17. An incident log shall be maintained at the premises, and made available to the Police or any authorised officer upon request. All entries will include time/date/name of person making entry. Said log will record the following:
 - a. all crimes reported to the venue;
 - b. all ejections of patrons;
 - c. any complaints received concerning crime and disorder;
 - d. any incidents of disorder either in or directly outside the venue;
 - e. all seizures of drugs or offensive weapons;
 - f. any faults in the CCTV system;
 - g. any visit by a relevant authority or emergency service; and
 - h. any refusal of alcohol sales.
18. In the event that any assault or serious crime is (or appears to have been), committed on the premises, the management will immediately ensure that:
 - a. The police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b. All safe and practicable steps are taken to apprehend any suspects pending the arrival of the police; and
 - c. The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police.

19. The premises shall operate the Challenge 25 proof of age scheme, where the only forms of acceptable identification shall be:
 - a. Photographic driving licence;
 - b. Valid passport;
 - c. Military/ UK Services Photo ID; or
 - d. PASS Hologram ID.
20. The licensee shall train and instruct the management and staff to prevent the admission of, and ensure the immediate and orderly departure of:
 - a. any and all persons who appear to be drunk and/or disorderly; and
 - b. any and all persons displaying signs of other substance abuse.
21. On all dates when Arsenal Football Club is playing at home (accepted as being when the male 1st team is playing at the Emirates Stadium), the following will apply:
 - a. There shall be no sales of beer, lager or cider in glass containers during the period commencing 2 hours before kick-off and ending 1 hour after the game finishes;
 - b. No more than four cans or plastic bottles of beer, lager or cider shall be sold to any individual customer;
 - c. All persons buying alcohol are to be advised by way of a written/printed notice in the premises window, and verbally where necessary, of the relevant controlled drinking/street drinking ban; and
 - d. The management undertakes to agree to cease the sale of all alcohol if requested to do so by a police officer.
22. All sales tills will feature a Challenge 25 reminder/prompt to remind any cashier making an alcohol sale to verify the customers age.
23. With regard to any off-sales supplied for delivery by third party:
 - a. The licensee will use reasonable endeavours to ensure that all couriers employed by and/or directly contracted to any third-party delivery service will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18;
 - b. Any person or automated system taking an order for the supply of alcohol on behalf of the premises licence holder will inform all customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram will be required before alcohol is supplied;
 - c. The licensee shall use reasonable endeavours to ensure that any delivery service employed to facilitate the delivery of alcohol robustly employs the challenge 25 proof age scheme, to be undertaken at the point of delivery to any customer; and
 - d. The licensee shall use reasonable endeavours to ensure that any refusals will be logged by the delivery driver. Records of all refusals will be obtained from the delivery company and entered in the incident log as per incident log condition 'h'.

24. All staff members engaged in selling alcohol on the premises shall, upon induction and every 12 months thereafter, receive training pertinent to the Licensing Act.
All such training shall be fully documented, signed by the employee, and kept at the premises for inspection by Police or other authorised officers. Training shall include, but not be limited to:
 - a. The premises age verification policy;
 - b. Dealing with refusal of sales;
 - c. Identifying attempts by intoxicated persons to purchase alcohol; and
 - d. Identifying signs of intoxication.
25. No beers, lagers or ciders of above 6.5% ABV shall be sold at the premises save for Premium beers and ciders supplied in glass bottles.
26. All sales of alcohol shall be in sealed containers, for consumption away from the premises only and shall not be consumed on the premises or in the immediate vicinity. Staff will be aware of this condition and take active steps to uphold it.
27. At any given time no more than 15% of the total sales area shall be used for the sale or display of alcohol.
28. No spirit miniatures or other bottles below 20cl shall be sold from the premises at any time.
29. No spirits or other alcohol of greater than 18% ABV shall be displayed anywhere other than behind the til, inaccessible to patrons, to be selected from the shelf by a member of staff only.
30. The licence holder shall at all times maintain adequate levels of staff and security. There shall be a minimum of 2 members of staff on duty at all times the premises is open for licensable activities.
31. At all times that the premises is open outside the alcohol trading hours, all alcohol will be covered (ie completely obscured from view) using a suitable curtain or shutter.



Title: LocalAreaMap

Printed By:
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Printed On:
25-07-2022