

MUNICIPAL YEAR 2014/15 REPORT NO.

COMMITTEE :
Licensing Sub-Committee
14 May 2014

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT : Application to vary a premises licence	
PREMISES : Nazli Food Centre 44 & 44A Fore Street, Edmonton N18	
WARD : Bowes	

1 LICENSING HISTORY & CURRENT POSITION :

- 1.1. On 18 May 2006 an application by Miss Husniye Degrimenci and Mr Mehmet Yasar for a new Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.2. On 30 May 2007 an application by Messrs Degrimenci & Yasar to vary the Premises Licence, which was subject to representations from the Metropolitan Police Service and the Environmental Health Service, was granted-in-part by the Licensing Sub-Committee. The Chairman made the following statement : "We have listened carefully to representations from the applicant, the Environmental Health Officer and the Metropolitan Police and also read the evidence presented by all parties. We have heard that these premises are situated within the highest concentration of crime and disorder in the borough and in a designated alcohol control zone. We have also heard that the Nazli Food Centre has received a warning for selling alcohol to an underage person in August 2006, plus the lack of availability of a 'Refusals Book' when asked. However we have also learned that these premises have been operating without further problems since that date and the applicants have agreed to the conditions requested by the responsible authorities. Mindful of Enfield Council's Licensing Policy, particularly paragraph 8.3 concerning nearby residential premises and paragraph 8.6 that the availability of alcohol gives rise to concerns, this could exacerbate current problems, we have decided to increase the hours permitted for the supply of alcohol but not fully to 24 hours as requested, as follows - Supply of alcohol Monday – Sunday 07.00 to 01.00 (the following day)."
- 1.3. On 10 June 2010 an application by **Mr Ilker Karakas** to transfer the Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.

- 1.4. The current Premises Licence permits :
 - 1.4.1. **Hours the premises are open to the public** : Sunday to Saturday from 00:00 to 00:00 (i.e. 24-hours a day, 7-days a week).
 - 1.4.2. **Supply of alcohol (off supplies only)** : Sunday to Saturday from 07:00 to 01:00 the following day.
- 1.5. A copy of a location map of the premises is attached as Annex 01.
- 1.6. A copy of the current Premises Licence is attached as Annex 02.

2 **THIS APPLICATION** :

- 2.1 Application is made by **Mr Ilker Karakas** to vary the Premises Licence. The application (as amended on 6 March 2014) now seeks :
 - 2.1.1 **Hours the premises are open to the public** : no change.
 - 2.1.2 **Supply of alcohol (off supplies only)** : Sunday to Saturday from 07:00 to 03:00 the following day.
- 2.2 The application was advertised in accordance with the requirements of the Licensing Act 2003.
- 2.3 Each of the Responsible Authorities were consulted in respect of the application.
- 2.4 A copy of the application is attached as Annex 03.

3 **RELEVANT REPRESENTATIONS** :

- 3.1 **Licensing Authority (including Licensing Enforcement, Environmental Health, Trading Standards, Planning, Health & Safety and Children's Services)** : Representation is made on the grounds of the prevention of public nuisance. The authority considers that it is appropriate, for the promotion of the licensing objectives, for the variation to be refused.
 - 3.1.1 A copy of the representation is attached as Annex 04.

4 **RESPONSE TO THE REPRESENTATIONS** :

- 4.1 On 21 March 2014 **Mr Ilker Karakas** complied with the Council's request to provide a statement "to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy."
- 4.2 A copy of the statement is attached as Annex 05.

5 **PROPOSED LICENCE CONDITIONS** :

- 5.1 The conditions arising from this application and representations are attached as Annex 06, all are agreed.

6 **RELEVANT LAW, GUIDANCE & POLICIES :**

- 6.1 The paragraphs below are extracted from either :
6.1.1 the Licensing Act 2003 ('Act'); or
6.1.2 the Guidance issued by the Secretary of State to the Home Office of October 2012 ('Guid'); or
6.1.3 the London Borough of Enfield's Licensing Policy Statement of April 2012 ('Pol').

General Principles :

- 6.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].
- 6.3 The licensing objectives are :
6.3.1 the prevention of crime and disorder;
6.3.2 public safety;
6.3.3 the prevention of public nuisance; &
6.3.4 the protection of children from harm [Act s.4(2)].
- 6.4 In carrying out its functions, the Sub-Committee must also have regard to :
6.4.1 the Council's licensing policy statement; &
6.4.2 guidance issued by the Secretary of State [Act s.4(3)].

Cumulative Impact Policy :

- 6.5 The applicant premises/club premises is located in the Edmonton Cumulative Impact Policy Area [Pol s.9.21/22].
- 6.6 The application is for a full variation of a premises licence [Pol s.9.21/22].
- 6.7 The application is subject to a relevant representation [Pol s.9.21/22].
- 6.8 Therefore the Cumulative Impact Policy applies to this application [Pol s.9.21/22].
- 6.9 The Core Hours for this application are :
6.9.1 Sale/supply of alcohol (off supplies only) : Monday to Sunday Indoors and/or outdoors 08:00 to 23:00 [Pol s.9.23.4].

6.10 The Council's policy is that this application (which is outside the Core Hours set out above) is subject to the presumption against grant that is implicit in a cumulative impact policy [Pol s.9.22].

6.11 Where the cumulative impact policy applies to an application, applicants are expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy [Guid 8.36].

Hours :

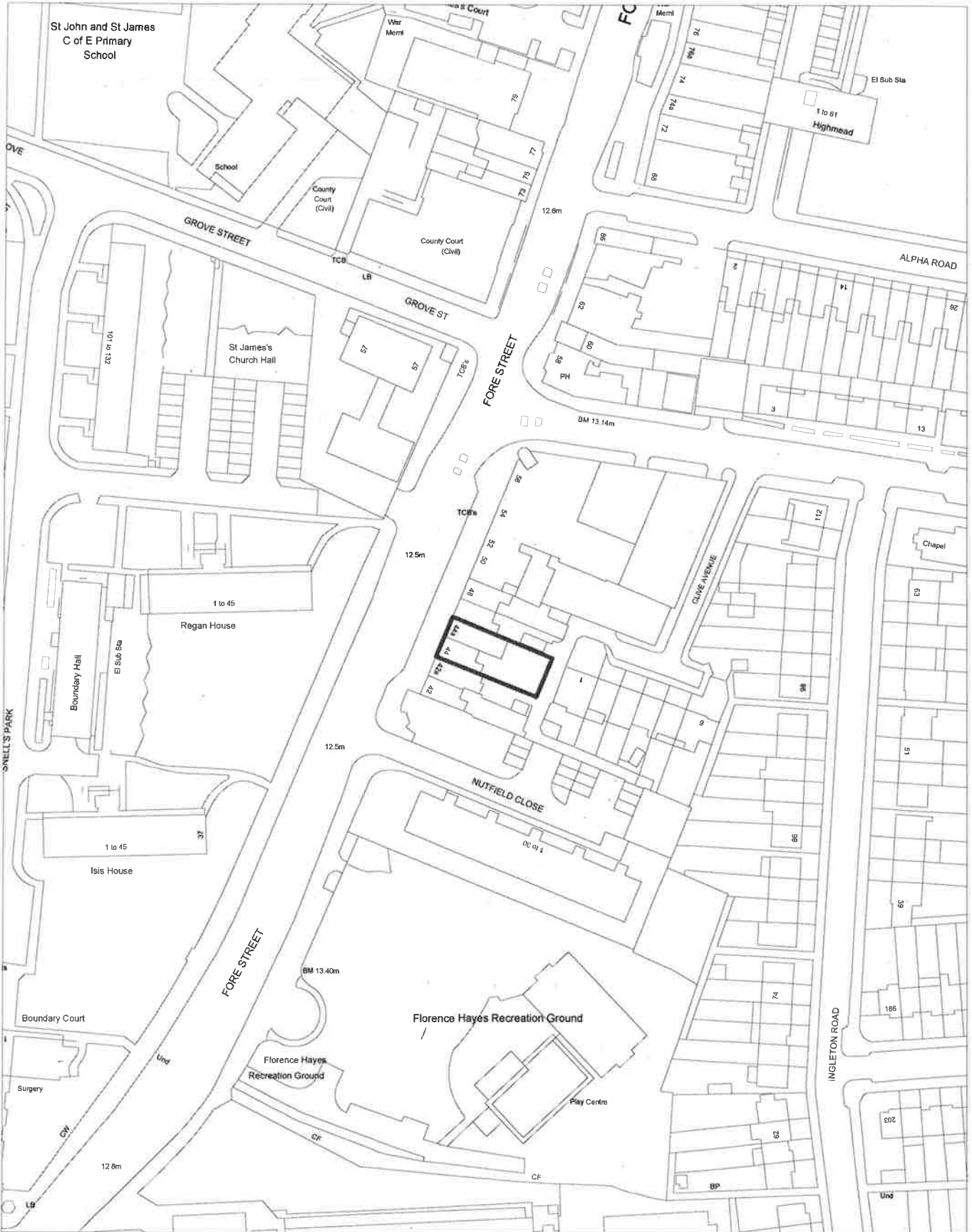
- 6.12 The Sub-Committee decides licensed opening hours as part of the implementation of the licensing policy statement and is best placed to make decisions about appropriate opening hours in their area based on their local knowledge and in consultation with responsible authorities [Guid 10.11].
- 6.13 Stricter conditions with regard to licensing hours may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided. This will particularly apply in circumstances where, having regard to the location, size and nature of the premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods [Pol s.8.4].

Decision :

- 6.14 As a matter of practice, the Sub-Committee should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas [Guid 9.33].
- 6.15 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to:
- 6.15.1 the steps that are appropriate to promote the licensing objectives;
 - 6.15.2 the representations (including supporting information) presented by all the parties;
 - 6.15.3 the guidance; and
 - 6.15.4 its own statement of licensing policy [Guid 9.34].
- 6.16 Having heard all of the representations (from all parties) the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are :
- 6.16.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
 - 6.16.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - 6.16.3 to refuse to specify a person in the licence as the premises supervisor;
 - 6.16.4 to reject the application [Act s.18].

Background Papers :
None other than any identified within the report.

Contact Officer :
Mark Galvayne on 020 8379 4743



Nazli Food Centre, Ground Floor, 44 Fore Street, LONDON, N18 2SS

LONDON BOROUGH OF ENFIELD
CIVIC CENTRE, SILVER STREET
ENFIELD, EN1 3XE
TEL: 020 8379 1000



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Scale: 1:1250

Dwg.No. 6600BM

Date: 23/04/14

Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/200600118

Part 1 – Premises Details

Postal address of premises :

Premises name : Nazli Food Centre

Telephone number : 07909 761723

Address : 44-44A Fore Street LONDON N18 2SS

Where the licence is time-limited, the dates : Not time limited

The opening hours of the premises, the licensable activities authorised by the licence and the times the licence authorises the carrying out of those activities :

(1) Open to the Public - Whole Premises	
Sunday :	00:00 - 00:00
Monday :	00:00 - 00:00
Tuesday :	00:00 - 00:00
Wednesday :	00:00 - 00:00
Thursday :	00:00 - 00:00
Friday :	00:00 - 00:00
Saturday :	00:00 - 00:00

(2) Supply of Alcohol - Off Supplies	
Sunday :	07:00 - 01:00
Monday :	07:00 - 01:00
Tuesday :	07:00 - 01:00
Wednesday :	07:00 - 01:00
Thursday :	07:00 - 01:00
Friday :	07:00 - 01:00
Saturday :	07:00 - 01:00

Part 2

Name and (registered) address of holder of premises licence :

Name :	Mr Ilker Karakas
Telephone number :	020 8803 9846
e-mail :	Not provided
Address :	262 Evelyn Court, Amhurst Road, Hackney, London, E8 2BW

Registered number of holder (where applicable) :

Not applicable

Name and (registered) address of second holder of premises licence (where applicable) :

Name :	Not applicable
Telephone number :	
Address :	


Name and address of designated premises supervisor (where the licence authorises the supply of alcohol) :

Name :	Miss Pelin Hasyer
Telephone number :	Not provided
e-mail :	Not provided
Address :	1A Market Parade, Winchester Road, LONDON, N9 9HF

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

Personal Licence Number :	LN/201100132
Issuing Authority :	London Borough of Enfield

Premises Licence LN/200600118 was first granted on 18 May 2006.

Signed : 

Date : 10th June 2013

**for and on behalf of the
London Borough of Enfield
Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH
Telephone : 020 8379 3578**



Annex 1 - Mandatory conditions

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

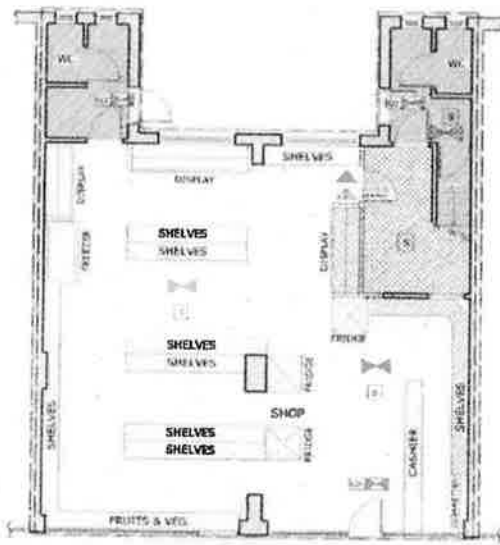
Annex 2 - Conditions consistent with the Operating Schedule

- 3. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children."**
- 4. A minimum of two staff shall be on the premises after 23:00.**
- 5. The 'red care' alarm system shall be operated and maintained at the premises.**
- 6. Notices shall be displayed requesting that customers arriving at, queuing and leaving the premises do so quietly.**
- 7. A 'refusals book' shall be operated at the premises.**
- 8. A CCTV system shall be installed, operated and maintained at the premises. This system shall conform to the Data Protection Act requirements and shall monitor the front door, till, all alcohol display areas and the pavement outside the premises. The system shall be either video or digital. The time and date shall be generated onto all recordings which shall be retained for a minimum of 31 days. Signs shall be displayed informing customers and the passing public that recorded CCTV is in use at the premises.**
- 9. A 'Raid Control' system shall be installed, operated and maintained at the premises. This system shall comprise : a time-delay safe; a separate covert real-time camera ('Raid Cam') fitted above the front door; a smoke note system; the minimisation of cash kept in the till; and training for all staff.**
- 10. The 'Think 21', or similar, proof-of-age scheme shall be operated at the premises and relevant literature shall be displayed.**
- 11. Shutters shall be installed over the alcohol display areas and shall be locked shut after 00:00 (Sunday - Thursday) and 00:30 (Friday - Saturday).**
- 12. Unaccompanied children under 14 shall not be allowed to enter the premises after 21:00.**

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

Not applicable

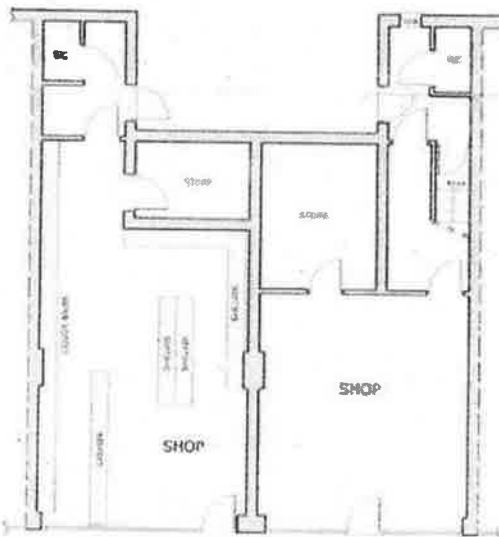
Annex 4 – Plans



PROPOSED GROUND FLOOR

LEGEND

- LIQUOR SALES
- WC, PASSAGEWAY, ETC.
- LIQUOR STORAGE
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTING
- SMOKE DETECTOR
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)



EXISTING GROUND FLOOR

PROPOSED SHOP AREA: 96.00m²

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NAZLI MINIMARKET

**44-44A FORE STREET
LONDON N18 2SS**

EXISTING & PROPOSED

-GROUND FLOOR PLAN

SCALE: 1/100

REF. NO: 65.05/01

DATE: MAR 06

DRG BY: AAY

ANVA LTD.

P.O. BOX.1827
ILFORD. IG2 7WJ

TEL: 020 8590 5026 FAX: 020 8596 4401
MOBILE: 077 10942923 / 079 31303989

WKA/213082/E33

AMN 03
Chg RJ 90.00
05998

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **MR IKER KARAKAS**

(Insert name(s) of applicant)

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

Premises licence number L/N - 200600/18

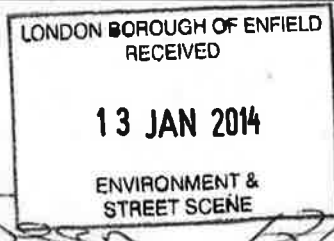
Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description NAZLI FOOD CENTRE 44 FORE STREET			
Post town	LONDON	Post code	N18 2SS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£16,500

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	6 KINDER HOUSE CRANSTON ESTATE		
Post Town	LONDON	Postcode	N1 5EJ



Remises waana NA Sean 13/01/15

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day	Month	Year

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)
TO EXTEND THE LICENSABLE HOURS FOR THE RETAIL SALE OF ALCOHOL**

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	01:00	07:00			
Tue	01:00	07:00			
Wed	01:00	07:00			
Thur	01:00	07:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	01:00	07:00			
Sat	01:00	07:00			
Sun					

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) no change
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) no change
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
CONDITIONS 11.

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

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

THE EXISTING LICENCE HAS EXTENSIVE CONDITIONS THAT ALREADY SUPPORT A LATER LICENCE.
HOWEVER WE ARE OPEN TO ANY FURTHER SUGESTIONS THAT CAN HELP IMPROVE THE PROMOTION OF THE LICENSING OBJECTIVES DUE TO LATER HOURS.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	06 JANUARY 2014
Capacity	DULY AUTHORISED AGENT

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) MR NOEL A SAMAROO NATIONAL TRAINING AND DEVELOPMENT 12 MARVELL CLOSE POUNDHILL			
Post town	CRAWLEY	Post code	RH10 3AL
Telephone number (if any)	075 4444 0655		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info.ntad@gmail.com			



LICENSING AUTHORITY REPRESENTATION

This representation is made by Enfield's Licensing Enforcement Team and is made in consultation with and on behalf of the Trading Standards Service (inspectors of Weights & Measures), Planning authority, Health & Safety authority, Environmental Health authority and the Child Protection Board.

I confirm I am authorised to speak at any hearing on behalf of the Licensing authority, Trading Standards Service (inspectors of Weights & Measures), Planning authority, Health & Safety authority, Environmental Health authority, and Child Protection Board).

Name and address of premises: Nazli Food Centre
44-44A Fore Street
London
N18 2SS

Type of Application: Variation - Premises Licence

I certify that I have considered the application shown above and I **wish to make representations** that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the following reasons:

Background History:

This is a variation application to allow the sale of alcohol (off sales) 24 hours a day Monday – Sunday. The premises currently opens 24 hours and is licensed to sell alcohol 07:00 – 01:00.

The licence was transferred to the current licence holder in June 2010 and the DPS was varied in February 2011 and again in June 2013.

Council records show the following history in relation to this premises in the last year:

15/05/13 – 11:50 - Licensing Enforcement Officers (CPX/TP) visited the premises, only English speaker was leaving the premises but said that the owner would be there in the evenings. When asked if the DPS was there they said they left a year ago. Left vary DPS application form and advised to submit ASAP and that Officers would visit again.

18/05/13 - 22:05 - Licensing Enforcement Officers (CT/AA) visited the premises. Unable to check conditions as no-one at premises aware of them. Mr Ilker Karakas, PLH, not on premises. Male behind the counter rang a female who arrived and gave her name as Miss Pelin Hasyer. She said she was to be the new DPS. Went through Vary DPS application form and advised must submit ASAP. Also explained what she needed to do to amend address on her Personal Licence. Completed Inspection Report and gave 14 days to comply. Left at 22:20.

03/06/13 - 17:10 - 17:30 - Licensing Enforcement Officer (CPX) visited the premises. Full licence inspection carried out. C5 - No alarm system in place - premises never closes, C9 - Raid control not installed, C11 one section of alcohol not behind shutters.

Also discussed variation applications and Enfield's Cumulative Impact Policy. Vary DPS application pending.

08/07/13 - 11:45 - 12:00 Licensing Enforcement Officers (CPX) visited the premises to check C5, 9, 11 - Camera seen above door but it is not covert. Staff said safe was time delayed but he was not aware of a smoke note system being in place. Alarm and shutters in place. New shutter is just a blind which cannot be locked, however it is behind the counter which does lock. Given 14 days to get smoke note system.

15/07/13 - Phone call from premises advising that smoke note system is in place as of today.

Prevention of Nuisance:

This premises is located on Fore Street, very close to the Haringey boarder. There are residential dwellings surrounding the premises in Nuffield Close, above the premises and also blocks of flats opposite the premises.

Planning Information:

There are no planning issues in relation to this application.

Cumulative Impact Policy (CIP):

This premises is located in the Edmonton Cumulative Impact Policy Area.

The CIP came into force in April 2012 and relates to all new and variation applications. The CIP states the core hours that should not be exceeded for each type of premises in particular locations. These are:

Sale/supply of alcohol (off supplies only): Monday – Sunday 08:00 – 23:00

The current licensed hours for this premises already exceed those specified in the CIP.

Where the hours applied for exceed those specified in the CIP there is a presumption that the application will be refused.

As demonstrated in the CIP this location is already an area of concern in relation to crime and disorder and public nuisance.

This application is for a significant increase in the licensed hours. Ambient background noise levels are reduced during the early hours of the morning. If the premises was permitting to sell alcohol 24 hours a day it could lead to increased noise and disturbance to the surrounding area and could be detrimental to the residential amenities and quality of life for residents.

In summary I wish to make representation on the following:

- **Prevention of Public Nuisance**

I object to any increase in the licensed hours. However, If this application were granted in full or part, I would recommend the following conditions be attached to the licence to promote the licensing objectives. These conditions are in addition to the proposed conditions in Annex 2 as indicated.

PLEASE REFER TO ANNEX 06

I reserve the right to provide further information to support this representation.

If the applicant agreed to these conditions **I WOULD NOT** withdraw my representation.

Officer: Charlotte Palmer Tel: 0208 379 3965 / charlotte.plamer@enfield.gov.uk

Signature:

A handwritten signature in cursive script, appearing to read "Palmer".

Date: 06/02/14

STATEMENT TO BE CONSIDERED BY THE LSC OF ENFIELD

Section 8.36 of the Statutory Guidance issued by the Secretary of State to the Home Office

APPLICATION TO VARY THE HOURS OF LICENSABLE ACTIVITYFORNAZLI FOOD CENTRE, 44-44A FORE STREET, LONDON N18 2SS

1. Understanding of how the policy impacts on this application
2. Proposed measures to mitigate any impact
3. Reasons why the LSC may consider this application to be an exception to the policy.

1. Understanding of how the policy impacts on this application

After careful reading and consideration of the licensing policy relating to the CIP as introduced on the 01 April 2012. It clearly states that the majority of Negative impact has come from On Licenced Premises with Late Night Refreshment and Regulated Entertainment.

However we do understand that late Night Off Licences can have a negative impact if not properly regulated or controlled sufficiently to ensure that alcohol is not being supplied to street drinkers or to potential customers that are already intoxicated.

It was noted that many of the incidents that required police attention or noise control were between the hours of 01.00 - 03.00 but very few were in public places.

We do however appreciate that increased noise or antisocial behaviour can have a negative impact on the local resident community and we do therefore wish to demonstrate to the LSC that we have Proposed measures to ensure that any impact will be positive not Negative on any of the Licensing Objectives.

We would also like to respectfully draw the attention of the LSC to the fact that we are already a 24hr operation with alcohol sales until 01.00, alcohol relates to 20% of our turnover and takes 35% of our retail floor space. We are by our very nature a local General Store and this application was also at the request of our customers who are local residents. We have not had any incidents in all the time we have been trading or any failed test purchases and have always co-operated fully with the licencing authority and the local police.

2. Proposed measures to mitigate any impact

The original Application was for alcohol to be sold from 00.00 to 00.00 24hr however after careful consideration on the impact on local services and with the premises falling within the CIP it was considered that 03.00 to be the terminal hour was more appropriate.

Existing Conditions consistent with the Operating Schedule on the Premises Licence in addition to the Mandatory Conditions are:

- a. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- b. A minimum of two staff shall be on the premises after 23:00.

- c. The 'red care' alarm system shall be operated and maintained at the premises.
- d. A CCTV system shall be installed, operated and maintained at the premises. This system shall conform to the Data Protection Act requirements and shall monitor the front door, till, all alcohol display areas and the pavement outside the premises. The system shall be either video or digital. The time and date shall be generated onto all recordings which shall be retained for a minimum of 31 days. Signs shall be displayed informing customers and the passing
- e. A 'Raid Control' system shall be installed, operated and maintained at the premises. This system shall comprise: a time-delay safe; a separate covert real-time camera ('Raid Cam') fitted above the front door; a smoke note system; the minimisation of cash kept in the till; and training for all staff.

Proposed Additional Conditions by Licensing Enforcement Team

1. Notices shall be displayed requesting that customers arriving at, queuing and leaving the premises do so quietly. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
2. A 'refusals book' shall be operated at the premises. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.(already in place)
3. The '**Think 25**', or similar, proof-of-age scheme shall be operated at the premises and relevant literature shall be displayed. The Local Authority or similar proof of age scheme shall be operated and relevant material shall be displayed at the premises. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted. (already in place)
4. Unaccompanied children under 14 shall not be allowed to enter the premises after 21:00
Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00 hours.
5. Refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
6. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
7. Customers shall be discouraged from congregating outside the premises.
8. A personal licence holder shall be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol.

Additional conditions proposed by the DPS and Premises Licence Holder

1. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
2. All alcohol to be labelled with the name of the premises for clear identification as to place of purchase by any Responsible authority

3. Reasons why the LSC may consider this application to be an exception to the policy.

Notwithstanding the fact that there is a presumption that the application will be refused in accordance with the Cumulative Impact Policy by the LSC applications to vary a premises licence for later hours it is the intention of the Premises Licence Holder and the DPS to Respectfully request the LSC to consider this application on the following grounds.

Nazli Food Centre has been trading for some time outside of the core licensing hours and has demonstrated that it has and can operate within the Guidelines and not have a Negative impact on any of the Licensing Objectives it also would like the LSC to consider the additional 2 hours not to be of significance to impact negatively on the Licensing Objectives or the Local Community but can prove to be significant on the survival of this small business.

The premises as stated has demonstrated that it is a well-run professional operation this is borne out by the fact that it has never had any complaints of any nature and that with this application there have been no representations from the Police or interested parties

There are many conditions already on the premises licence to ensure the integrity of the Licensing objectives, however with the additional conditions proposed by the licensing Authority and the conditions proposed by the Premises Licence Holder and DPS to be sufficient for the applicant to respectfully request the LSC to consider this application an exception.

20.03.2014

NAZLI FOOD CENTRE
NTAD CONSULTANTS LTD

NAZLI FOOD CENTRE – WK/213082733**EXISTING LICENCE CONDITIONS :****Annex 1 - Mandatory Conditions**

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

Annex 2 - Conditions consistent with the Operating Schedule

3. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
4. A minimum of two staff shall be on the premises after 23:00.
5. The 'red care' alarm system shall be operated and maintained at the premises.
6. A CCTV system shall be installed, operated and maintained at the premises. This system shall conform to the Data Protection Act requirements and shall monitor the front door, till, all alcohol display areas and the pavement outside the premises. The system shall be either video or digital. The time and date shall be generated onto all recordings which shall be retained for a minimum of 31 days. Signs shall be displayed informing customers and the passing public that recorded CCTV is in use at the premises.
7. A 'Raid Control' system shall be installed, operated and maintained at the premises. This system shall comprise : a time-delay safe; a separate covert real-time camera ('Raid Cam') fitted above the front door; a smoke note system; the minimisation of cash kept in the till; and training for all staff.

CONDITIONS REQUESTED BY THE LICENSING AUTHORITY (AND AGREED BY APPLICANT ON 6 MARCH 2014) :

8. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
9. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
10. The Local Authority or similar proof of age scheme shall be operated and relevant material shall be displayed at the premises. Only passport,

photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.

- 11. Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00.**
- 12. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.**
- 13. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.**
- 14. Customers shall be discouraged from congregating outside the premises.**
- 15. A personal licence holder shall be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol.**

CONDITIONS PROPOSED BY LICENCE HOLDER ON 6 MARCH 2014 :

- 16. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.**
- 17. All alcohol to be labelled with the name of the premises for clear identification as to place of purchase by any Responsible authority**

Annex 3 - Conditions attached after a hearing by the Licensing Authority