

**Report for:** Licensing Sub Committee 20th March 2025

**Item number:** 6

**Title:** New Premises Application at Black Lion Food Express, 42 Topsfield Parade, Tottenham Lane, Hornsey, London N8 8PT

**Report authorised by :** Daliah Barrett-Licensing Team Leader – Regulatory Services.

**Ward(s) affected:** Crouch End

**Key/Non Key Decision:** Not applicable

**1. Describe the issue under consideration**

- 1.1 This report relates to an application for a new licence submitted by Gungar Karaaslan trading as Black Lion Food Express. The application seeks the following:

**Details of the application are as follows:**

**Sale of Alcohol**

Monday to Thursday	0800 to 0200 hours
Friday to Saturday	0800 to 0300 hours
Sunday	0800 to 0100 hours

Supply of alcohol **OFF** the premises.

**Hours open to Public**

Monday to Thursday	0800 to 0200 hours
Friday to Saturday	0800 to 0300 hours
Sunday	0800 to 0100 hours

- 1.2 The application form and plan are attached as Appendix 1.

- 1.3 Representation have been received from:

Responsible Authorities –App 2 – Representations from Police and Licensing Authority and Public Health – all are now withdrawn as all matters have been accepted by the applicant.

Other Parties – App 3

- 1.4 The applicant as sent a letter to the resident to make clear there is no involvement with the previous operators. App 4

**2 Recommendations**

In considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are:

- Grant the application as requested
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.

- Exclude any licensable activities to which the application relates
- Reject the whole or part of the application

2.1 Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

### **3. Background**

3.1 The premises is situated in a terrace of shops with residential above. The previous occupants of the premises had the Premises Licence revoked due to anti-social behaviour and the selling of illicit goods. Ms Aylin the previous licence holder is shown as the leaseholder for the property. However the new applicant has taken out a lease in their own right and are registered for the payment of Business Rates. We have no evidence of the new applicant being affiliated with the previous licence holders.

3.2 The applicants have agreed to reduce the hours in line with the representation from the Ward member Cllr Cawley Harrison:

**Opening hours:** 8am -11pm

**Sale of alcohol hours:** 8am -11pm

3.3 The Home Office Guidance issued under Section 182 Guidance places a requirement on applicants to demonstrate when setting out steps they propose to take to promote the licensing objectives that they understand the area in which they are wishing to operate.

### **4. Policy Implications**

4.1 The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

#### **4.2 Equalities impact**

At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

### **5. Other considerations**

#### **5.1 Human Rights**

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

### **6 Use of Appendices**

Appendix 1.

Responsible Authorities –App 2

Other Parties – App 3

Mediation letter and supporting document – App 4  
**Background papers: Section 82 Guidance**  
**Haringey Statement of Licensing policy**