

#### 4. REPORT OF THE LICENSING MANAGER

##### Background

4.1 A premises licence was originally granted in October 2006 and was subsequently varied by Mr Ogut in February 2013. The variation sought at the time was only granted in part by the Licensing Sub Committee due to concerns relating to the license holder abilities to prevent noise nuisance from affecting nearby residents.

The current Premise Licence holder and Designated Premises Supervisor is Mr Ogut

##### ***Licensable activities authorised by the Licence:***

**Supply of alcohol**

**Provision of Regulated Entertainment**

**Provision of Late Night Refreshment**

##### ***The times the Licence authorises the carrying out of licensable activities:***

**Supply of alcohol**

Sunday to Thursday 1000 to 2330

Friday & Saturday 1000 to 0130

**Provision of Regulated Entertainment: Live Music, Recorded Music, Performance of Dance, Anything of a similar description to live music, recorded music or performance of dance:**

Sunday to Thursday 1700 to 2330

Friday and Saturday 1700 to 0130

**Provision of Late Night Refreshment**

Sunday to Thursday 2300 to 2330

Friday & Saturday 2300 to 0130

##### ***The opening hours of the premises:***

Sunday to Thursday 0800 to 0000

Friday & Saturday 0800 to 0200

**Christmas Eve, Boxing Day and New Years Day only the premises is permitted to open until 2am.**

The Licensing Committees considerations are shown on the issued license which can be found at **Appendix 2.**

4.2 On the 19<sup>th</sup> June 2014 the Licensing Authority received an application to review the Premises Licence from P.C. Mark Greaves, a responsible authority. The application was accepted. A copy of the application and supporting evidence to review the Premises Licence is appended at Appendix 1.

A summary of the grounds on which the application is made are: -

- Disturbance and disorderly behaviour with the use of weapons on the 8<sup>th</sup> June 2014.
- Operating beyond the permitted hours of the license.

4.3 It has been agreed by all parties that Mr. Ogut was 'managing' the premises at the time of the test purchase failures. Having reviewed the Application for the Review of a Premises Licence I consider that this is a valid application in relation to the following Licensing Objectives:

- Prevention of crime and disorder

The Licensing Authority has complied with the requirements of Section 51 (3)(b) and (d) of the Licensing Act 2003 by advertising the Application for a Review and inviting Representations. A copy of the Public Notice is appended as **Appendix 3**.

The Licensing Authority has received other representations from a Responsible Authority.

## 5. RELEVANT REPRESENTATIONS (CONSULTATION)

### Responsible authorities:

#### 5.1 Comments from Licensing Officer

The Licensing Authority received complaints from a resident in May 2014 relating to the noise emanating from the premises and alleging that the premises was operating beyond its permitted hours. Pro-active visits were requested and the officers were able to establish one incident of the premises operating outside of its permitted hours. A warning letter was sent to the premises as a result of this.

#### 5.2 Comments of Regulatory Services:

##### Environmental Health

There has been various noise complaints registered with the Enforcement Response Team by a nearby residents who reported nuisance as a result of customers using the 'external area'. This area is very close to the residential properties and would be affected by noise and second hand smoke emanating from the shisha smoking that takes place in this area. The data held by the Noise Team show the following complaints received and actions:

<b>28/6/14</b>	<b>Noise not established</b>
<b>10/5/14</b>	<b>Noise not established</b>
<b>4/5/14</b>	<b>Operating beyond licensed hours – noise witnessed- warning letter issued 4A.</b>
<b>4/5/14</b>	<b>Noise stopped before visit</b>
<b>3/5/14</b>	<b>Noise not established</b>
<b>25/12/13</b>	<b>Noise not established</b>
<b>6/5/13</b>	<b>Noise not established</b>
<b>5/5/13</b>	<b>Noise not established</b>
<b>4/5/14</b>	<b>Noise not established</b>

The Commercial Health Food Team have also made representation with regard to food safety contraventions at the premises as well as the non compliance with the smoking shelter. Their representation can be found at **Appendix 4**.

### **5.3 London Fire and Civil Defence Authority**

**No comments made.**

### **6.0 Interested Parties**

**No comments made.**

## **7.0 POLICY CONSIDERATIONS**

### **7.1 The following provisions of the Licensing Act 2003 apply to this application: Section 51-53 (review of premises licenses)**

In determining the application the Licensing Sub Committee can take such steps as it considers necessary for the promotion of the licensing objectives, which are:

1. Take no further action
2. modify the conditions of the license
3. exclude a licensable activity from the scope of the license
4. remove the designated premises supervisor
5. suspend the license for a period not exceeding three months
6. revoke the license.

Where the Licensing Sub Committee takes steps mentioned in 2 or 3 it may provide that the modification or exclusion is imposed either permanently or for a temporary period of up to three months. The Licensing Sub Committee is asked to give full reasons for its decision.

The Licensing Sub Committee must make its decision within 5 working days of the end of the hearing. Any decision of the Licensing Sub Committee is stayed from coming into effect for 21 days from the date of the decision, pending any appeal that might be made and the determination of that appeal. Any party to the proceedings may appeal against the decision of the Licensing Sub Committee.

- 8.0** The following provisions of the Secretary of State's guidance apply to this application: Paras 11.1 – 11.30. These provisions are attached at **Appendix 5.**
- 8.1** The following paragraphs of the licensing authority's Statement Of Licensing Policy apply to this application; page 46 and 47 Crime and Disorder, these provisions are attached at **Appendix 6.**
- 8.2** The Licensing Sub Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.

## **APPENDIX 1**

**COPY OF REVIEW APPLICATION AND SUPPORTING  
DOCUMENTS- DVD TO BE SHOWN**



**Application for the Review of a Premises Licence or Club Premises Certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

- Before completing this form please read the guidance notes at the end of the form.
- If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
- You may wish to keep a copy of the completed form for your records.

**I Mark Greaves**

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

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

**Postal address of premises or club premises, or if none, ordnance survey map reference or description:**

Ora Pool Club, 581A Green Lanes

**Post town:**

London

**Post code:**  
(if known)

N8 0RG

**Name of premises licence holder or club holding club premises certificate (if known):**

Serkan Ogut

**Number of premises licence or club premises certificate (if known):**

LN/000008767

**Part 2 – Applicant details**

**I am:**

Please tick Yes

- |          |  |                                     |
|----------|--|-------------------------------------|
| <b>1</b> | <b>an individual, body or business which is not a responsible authority</b><br>(please read guidance note 1 and complete (A) or (B) below) | <input type="checkbox"/>            |
|          | a) a person living in the vicinity of the premises   | <input type="checkbox"/>            |
|          | b) a body representing persons living in the vicinity of the premises  | <input type="checkbox"/>            |
|          | c) a person involved in business in the vicinity of the premises   | <input type="checkbox"/>            |
|          | d) a body representing persons involved in business in the vicinity of the premises  | <input type="checkbox"/>            |
| <b>2</b> | <b>a responsible authority (please complete (C) below)</b>   | <input checked="" type="checkbox"/> |
| <b>3</b> | <b>a member of the club to which this application relates (please complete section (A) below)</b>  | <input type="checkbox"/>            |

PROTECTIVE MARKING

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

Mr  Mrs  Miss  Ms  Any other title (e.g. Rev.)

Surname: \_\_\_\_\_ First Names: \_\_\_\_\_

I am 18 years old or over

Current postal address if different from premises address: \_\_\_\_\_

Post town: \_\_\_\_\_ Post code: \_\_\_\_\_

Daytime Tel. No.: \_\_\_\_\_ Email: (optional) \_\_\_\_\_

**(B) DETAILS OF OTHER APPLICANT** (fill in as applicable)

Name and Address: \_\_\_\_\_

Telephone Number (if any): \_\_\_\_\_

Email address: (optional) \_\_\_\_\_

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT** (fill in as applicable)

Name and Address: \_\_\_\_\_

Metropolitan Police, Unit 1 Quicksilver Place, Western Road, London N22 6UH

Telephone Number (if any): 020 3276 0150

Email address: (optional) mark.greaves@met.police.uk

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

Please tick one or more boxes

1	The prevention of crime and disorder	<input checked="" type="checkbox"/>
2	Public safety	<input type="checkbox"/>
3	The prevention of public nuisance	<input type="checkbox"/>
4	The protection of children from harm	<input type="checkbox"/>

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

PROTECTIVE MARKING

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.

I understand that if I do not comply with the above requirements my application will be rejected.

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

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

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

Signature:  Date: 19th June 2014  
Capacity:

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

Mark Greaves PC 164YR

Post town: London Post code: N22 6UH

Telephone Number (if any):

020 3276 0150

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

mark.greaves@met.police.uk

**Notes for Guidance**

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



**PROTECTIVE MARKING**

**Day    Month    Year**

**If yes, please state the date of that application:**

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

Please tick Yes

## PROTECTIVE MARKING

The venue emailed me regarding my CCTV request for the 18th May 2014 stating it was over-ridden as soon as I left and no longer available. Ref: MG1. CAD 1635/08JUN14 is an emergency call from a member of the public alleging 100 people at venue with fighting and guns. MG2 refers. CAD 1639/08JUN14 relates to an emergency call from a second member of the public alleging a big fight with glasses and bottles being used. MG3 refers. One victim gave details to Police resulting in crime report 2812600/14 for GBH. MG4 refers. CCTV file 17\_02\_R shows venue still operating with music, dancing and towards the end apparently the cutting of the cake from 0200 until 0300. File 23\_03\_R shows the bar serving alcohol from 0200 - 0300. File 30\_06\_R shows serious crime and disorder occurring in a corridor at venue between 0309 and 0312 with weapons used.

Have you made an application for review relating to this premises before?

(Please tick yes)

## PROTECTIVE MARKING

Mr Ogut, Premises License Holder and Designated Premises Supervisor (DPS), has failed to meet the licensing objectives of The Prevention of Crime and Disorder in that on the 8th June 2014 he permitted an outside booking, a birthday party, to continue past his licensed hours of 0130 when licensable activities cease and 0200 when the venue closes to the public. Alcohol is sold and music and dancing continue. At 0303 serious violence and disorder breaks out with the use of weapons resulting in at least one victim with a large cut to her face. It is obvious from CCTV inside venue that other injuries occurred. This incident occurred 90 minutes after alcohol sales should have ceased and 1 hour after venue should have closed to the public. It is obvious from CCTV that the venue could not control a violent situation that may well have resulted in far more serious injuries. Large numbers of Police and an ambulance were required to deal with this matter at a time of limited resources and an hour when local residents would have been disturbed.

On Tuesday 10th June 2014 at 1345 Police Licensing officer attended venue and met Mr Ogut. We viewed the venues CCTV system. A Condition on the venues Premises Licence states CCTV will be retained for 31 days but on checking the earliest date available was 18th May 2014 which was 24 days prior to my visit. I pointed out to Mr Ogut that on 18th May there were about 15 people still on dancefloor and alcohol sales did not stop until 0335.

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

**From:** cafe Ora [cafe\_ora@yahoo.com]  
**Sent:** 10 June 2014 20:49  
**To:** Greaves Mark L - YR  
**Subject:** Cafe Ora  
**Att :** Mark Greaves

Regarding May 18th 2014 as soon as you left what we saw on the CCTV is no longer there as it is gone now in to over ride, i would of called you but I did not have your number hence why I have sent you this e mail, as every hor goes on it does delete any thing starting from the 18th may. There was nothing I could do to prevent this and my guy who deals with the CCTV has only now arrived

Regarding Saturday 25th May 2014 no drink was served after 1.30am, all customers where gone by 2.05 am any one that was sitting in the venue was wife's of our in house band, the other table sitting there was as we'll a guest singer we had for one night, they where also with there partners. And as you can see there was no drink served to any one, any drink that we're on the table were pre paid well before 1.30am

Regarding May 31st 2014 we was not open as you will be able to see from the CCTV.

Please feel free to contact me at any time for any help you need regarding this

Thank you  
Cafe Ora

M F 2

INC01635-08JUN14

INCIDENT No. 1635 entered at 03:03 on 08JUN14 by CHS/CHS in CCC/IR

Rec By :E (Emergency)  
Call Tel :078\*\*\*\*\*

Att Locn :THE ORA CAFE, GRN LANES,N15 (RVP ALFOXTON AVE)

Opening 1:314 (Suspicious Circumstances)  
2:662 (Firearm Seen)

Urgency :R (Referred)

VRMS :

Proposal : (BOCU at 03:05/08JUN14):

Y1N YR25L YR31L YR31N YR32N YR34N YR20L YR81N YR82N YD18L

08JUN14 CHS CHS (pre 1st routing)

CREATED IN: CHS AT: 2014-06-08 03:03:06 CAD AT: 2014-06-08 03:05:24

ENTERED BY: CHS (c718670 ) AT: 2014-06-08 03:05:24

^op - people w/ guns in club

03:05:42 08JUN14 CHS

ENTERED BY: CHS AT: 2014-06-08 03:05:42

^op - disturbance in b/g - people screaming

03:06:04 08JUN14 CHS

03:10:02 08JUN14 CHS

ENTERED BY: CHS AT: 2014-06-08 03:10:02

^op - over 100 people at locn - all males are fighting o/s

03:10:37 08JUN14 CHS

ENTERED BY: CHS AT: 2014-06-08 03:10:37

^op - female stabbed in face - lying on ground inside

03:11:11 08JUN14 CHS

ENTERED BY: CHS AT: 2014-06-08 03:11:11

nfd

03:13:40 08JUN14 201386 B3329

^YR1N WE AREN'T IN A POSITION TO DO ANYTHING UNTIL ARV HAVE REVIEWED THE CADS. THERE IS A DISTURBANCE AND SUSPECTS APPEAR TO BE IN A POSITION TO MAKE OFF IN A VEHICLE

03:14:26 08JUN14 CHS

ENTERED BY: CHS AT: 2014-06-08 03:14:25

yr ^ chs supv..i have just googled the locn and the only one that can be found on google is Cafe Ora, 581d Green Lanes,N8. May be this locn and not N15 ?

03:16:23 08JUN14 201386 B3329

^YR1N I NEED TO KNOWN THE RESPONSE FROM ARV IF THERE IS A THREAT TO MY OFFICERS

03:17:36 08JUN14 201386 B3329

^YR1N IT IS IMPERATIVE WE GET A DECISION SO WE CAN DEAL WITH THIS INCIDENT.

03:17:57 08JUN14 CHS

MPS^CHS MESSAGE PROCESSED SUCCESSFULLY

Task Completed

03:18:36 08JUN14 CHS

ENTERED BY: CHS AT: 2014-06-08 03:17:57

Task completed notes - Seen and Checked EO Bird Hendon CCC

03:20:17 08JUN14 201386 B3329

^YR1N VEH---> ALISON ROAD

03:20:33 08JUN14 201386 B3329

^YR1N THE WEAPON WE SAW WAS A METAL BAR.

INC01635-08JUN14

M G 3

INC01639-08JUN14

INCIDENT No. 1639 entered at 03:04 on 08JUN14 by CHS/CHS in CCC/IR

Rec By :E (Emergency)  
Call Tel :0794\*\*\*\*\*  
Call Name:  
Call Type:  
Call Mail:  
Cntct Tel:

Att Locn :CAFE ORA, 581 GREEN LANES, N8  
Map :Page 121, Grid Reference 531625,188875

Opening 1:001 (Violence Against The Person)  
2:607 (Weapon - not knife/blade/firearm)

Urgency :I (Immediate)  
VRMS :LD\*\*\*\*\*  
Proposal :(BOCU at 03:06/08JUN14):  
Y1N YR25L YR31L YR31N YR32N YR34N YR20L YR81N YR82N YD18L

Assigned :  
DeAssign :  
TOA :03:11:00/08JUN14

CRIS :2812600/14  
Class 1 :016 (Unlisted Crime)  
Qual 1 :633 (Knife / Bladed Article)  
Res 1 :710 (CRIS Entry/Updated)  
2 :700 (Detain / Detained)  
Clo Text :3 MALES----> YD RE OFFENSIVE WEAPON  
O Dealing:484YR

Remarks:

Time	Date	Opid	Termid
	08JUN14	CHS	CHS (pre 1st routing)
	CREATED IN: CHS AT: 2014-06-08 03:04:21 CAD AT: 2014-06-08 03:05:50		
	=====		
	ENTERED BY: CHS (c723395 ) AT: 2014-06-08 03:05:49		
	big fight between 5 has broken out		
	glasses and bottles being used against one another		
03:05:50	08JUN14	CHS	

Time	Date	Opid	Termid
03:06:11	08JUN14	CHS	
	ENTERED BY: CHS AT: 2014-06-08 03:06:11		
	approx 20 people		
03:06:26	08JUN14	CHS	
	ENTERED BY: CHS AT: 2014-06-08 03:06:25		
	getting very out of hand, lots of screaming and shouting		
03:06:55	08JUN14	CHS	
	ENTERED BY: CHS AT: 2014-06-08 03:06:55		
	LAS being called, 2 injuries,		
	1 female & 1 male appear to have been hit over the head, lots of blood		
03:07:14	08JUN14	201386	B3329
	ARV/YR SNL....MENTION OF FIREARMS		
03:07:38	08JUN14	079224	L6164
	ASI UPDATE AS NECESSARY PLEASE		
03:08:32	08JUN14	CHS	
	LAS^MPS		
	Organisation:LONDON AMBULANCE SERVICE		
	Location:		
	CAFE ORA, 581 GREEN LANES, N8		
	MPS Contact :YR		

Assistance:AMBULANCE  
Mapref:121/531625,188875

INC01639-08JUN14

Number :SEE FILE

Caller:

Number:0794\*\*\*\*\*

Unit: Assigned:N (Y/N) On Scene:N (Y/N) Attending:U (Y/N/U) ETA: Mins

Remarks :

Contact Phone Number: u/k

PR Radio Number: u/k

huge fight taking place, bottles being used

2 casualties bleeding from heads and noses appear to have been hit with bottles

officers running

approx 20 people involved

03:09:20 08JUN14 CHS  
ENTERED BY: CHS AT: 2014-06-08 03:09:19  
caller unable to see any weapons

03:09:26 08JUN14 198729 L2929  
\*\*PLSE UNTICK TC TO STOP CAD BEING SENT CONTINUOUSLY TO US\*\*

03:09:46 08JUN14 CHS  
ENTERED BY: CHS AT: 2014-06-08 03:09:46  
started as an argument, and has kicked off from there

03:11:21 08JUN14 201386 B3329  
^YR WE HAVE COVERAGE

03:12:43 08JUN14 CHS  
ENTERED BY: CHS AT: 2014-06-08 03:12:43  
female is hysterical, just keeps saying "omg"

03:12:46 08JUN14 056945 L2956  
^DI10 DO YOU REQUIRE DI10

03:13:07 08JUN14 CHS  
ENTERED BY: CHS AT: 2014-06-08 03:13:07  
she is upstairs, no longer able to see what is going on

03:14:30 08JUN14 209023 5607Y  
^44YR ON CCTV IN GPC, ONE MALE IS NEXT TO A WHITE FIESTA INDEX  
LD\*\*\*\*, WHERE HE APPEARED TO TAKE SOMETHING OUT OF THE VEHICLE AND  
RUN ACROSS THE ROAD WITH IT. HE KEEPS RUNNING BACK TO THE CAR AND  
CROUCHING DOWN BY PASSENGER DOOR. MIC3, WHITE SHIRT AND JEANS

03:15:30 08JUN14 200404 YR3N  
^94yr at rvp

03:16:24 08JUN14 209023 5607Y  
^44YR MALE HAS NOW TAKEN HIS WHITE SHIRT OFF, PLACED IT IN THE WHITE  
FIESTA AND SWAPPED IT WITH A BLACK SHIRT. MIC3

03:16:30 08JUN14 CHS  
ENTERED BY: CHS AT: 2014-06-08 03:16:30  
keeping line open, caller keeps asking wher police are, advised asap

03:16:56 08JUN14 CHS  
ENTERED BY: CHS AT: 2014-06-08 03:16:56  
have not mentioned any firearms to caller as don't want to panic her

03:22:57 08JUN14 201386 B3329  
LAS^MPS  
Organisation:LONDON AMBULANCE SERVICE  
Action :INFORMATION  
UNIT: ASSIGNED:Y (Y/N) ON SCENE:Y (Y/N) ATTENDING:Y (Y/N/U) ETA: MINS  
REMARKS :  
STANDBY.....UNITS ASSESSING. REPORTS OF FEMALE STABBED IN FACE.

03:23:42 08JUN14 201386 B3329  
^94YR AS YET NOT FOUND INJURED PERSON. SIGNS OF DISTURBANCE.

03:24:20 08JUN14 197011 L6163  
^ARV SEEN AND NOTED. MXA13 AWARE. NOTED LINKED CAD STATING WEAPON WAS  
A METAL BAR. NOT DECLARED.

03:24:34 08JUN14 201386 B3329  
^557YR VEHICLE ON ALISON ROAD, 3 UP.

03:24:48 08JUN14 201386 B3329  
^YR1N YR17N BE MINDFUL OF WEAPSON SEEN.

03:25:20 08JUN14 201386 B3329



INC01639-08JUN14

^94YR FEMALE WITH FACIAL INJURY. CALM IN THE PREMISES. 20 PEOPLE LEFT

03:25:48 AT PARTY. FEMALE CONCIOUS AND BREATHING.  
08JUN14 201386 B3329  
LAS^MPS  
Organisation:LONDON AMBULANCE SERVICE  
Action :INFORMATION  
UNIT: ASSIGNED:Y (Y/N) ON SCENE:Y (Y/N) ATTENDING:Y (Y/N/U) ETA: MINS  
REMARKS :  
03:28:18 PLS ATTEND CAFE AURA. FEMALE WITH FACIAL INJURY. POLICE ON SCENE.  
08JUN14 201386 B3329  
^94YR LAS H202 ON SCENE  
03:34:40 08JUN14 201386 B3329  
^557YR SPACE FOR 3 MALE ADULTS FOR OFF WEAPON  
03:37:25 08JUN14 086950 B3348  
CELL F1C SHOREDITCH.  
03:38:21 08JUN14 201386 B3329  
^94YR WHILE I WAS STOOD OUTSIDE CAFE AURO I WAS APPROACHED BY A MEMBER  
OF THE PUBLIC WHO STATED THAT THEY OVERHEARD A GROUP OF 3 MALES  
REFERRING TO 'GETTING A GUN'. THEY ARE CURRENTLY BEING SEARCHED BY  
OFFICERS ON ALISON ROAD.  
03:44:45 08JUN14 201386 B3329  
^20YR SPACE FOR ALL THREE AT WOOD GREEN CUSTODY  
04:18:02 08JUN14 201386 B3329  
^491YR THE VEHICLE HAS BEEN LEFT LOCKED AND SECURED OUTSIDE 142  
ALLISON ROAD WITH THE EVIDENCE TAKEN OUT OF IT.  
05:43:08 08JUN14 201386 B3329  
^94YR GBH CRIS BY 484YR

M G 4

CRIS: 2812600/14 GBH

Crime Type:	<input type="text" value="C"/> H/O Crime Type:	<input type="text" value="1"/> Allegation (Prefix):	<input type="text"/>
Allegation:			
Committed on/from Date:	<input type="text" value="08"/> / <input type="text" value="Jun"/> / <input type="text" value="2014"/>	<input type="text" value="SUN"/>	Time: <input type="text" value="0300"/>
Committed to Date:	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/>	Time: <input type="text"/>
Reported Date:	<input type="text" value="08"/> / <input type="text" value="Jun"/> / <input type="text" value="2014"/>	<input type="text" value="SUN"/>	Time: <input type="text" value="0304"/>
Address:			
<input type="text" value="Cafe ORA,581,GREEN LANES, -"/>			
Input/Amend Address			
Location Text:	<input type="text" value="Cafe Ora abov"/>		
GLU:	<input type="text" value="YR"/>	Local Id:	<input type="text" value="YR12"/>
		Grid Ref:	<input type="text" value="531625,18887"/>

**PRIMARY INVESTIGATION DETAILS : 1 - Immediate action**

CAD 1639/8JUN14

YR23N - PC Keifer 976 YR & PC Palfreman 484 YR

Y1 - PC Carter 206 yr & PC Ward 491 YR

On Sunday the 8th of June 2014 police were called to 581 Green Lanes Café Ora to a fight at the location

Call received at 0303 from Inf 1

people w/ guns in club , disturbance in b/g - people screaming, over 100 people at locn - all males are fighting o/s female stabbed in face - lying on ground inside

Call received at 0304

Big fight between 5 has broken out

Glasses and bottles being used against one another approx 20 people getting very out of hand, lots of screaming and shouting, 1 female & 1 male appear to have been hit over the head, lots of blood started as an argument, and has kicked off from there

Cad 1683 at 0311 Inf 2

About twenty (20) people fighting Bottles being used

Cad 1727 at 03:14

states that there is a "black club" with a group of people o/s asking for him to call the police? infit says there are people fighting... more to follow.

Infit says that he was approached by a girl covered in blood asking him to call police

CAD1750 at 03:14

Distressed f - req pol - someone bleeding

cad 1705 at 03:15

Caller saying someone has been stabbed at location

Cad 1712 at 03:15 female

Fight in progress informant stated group of ten (10) black Youths, Informant states its getting worse.

Cad 1786at 03:28 LAS generated call

ASSAULT/FIGHT ASSAILANTS LEFT SCENE-23YOF-PUNCHED IN FACE DURING FIGHT

Due to the information received about a firearm an RVP was set up which caused some delay to arrival on scene.

When Police did arrive on scene, there were obvious signs of disturbance inside the venue, bottles, blood & other debris on the floor.

There were people still at the location; none appeared to have any injuries.

We were directed to a female at the back of the club that had a large cut to the left side of her nose - VIW1.

VIW1 was drunk & did not know how she obtained her injuries. Her friends did not see what happened, I heard someone say that she banged her nose on the railing as she fell.

VIW1 was taken downstairs & treated by LAS H202.

VIW2 is the Licensee, he states he had a private party at the location, he states that his security have a guest list which he can later provide to Police, he states the lights had been on for some time, the party was over, all of a sudden a fight broke out. He did not see how VIW1 was injured but helped give her first aid.

**PRIMARY INVESTIGATION DETAILS : 2 - Scene**

YR5 & PS 94 YR attended the scene, no crime scene established as unable to account for how VIW1 sustained her injuries. Various different accounts given.

**PRIMARY INVESTIGATION DETAILS : 6 - Other evidence**

There is CCTV at the venue; it could not be downloaded but VIW2 states he will copy for Police.

CCTV at venue to be downloaded by VIW2.

CCTV was being viewed by Police whilst awaiting confirmation to go to the venue.

A vehicle was seen O/S the location with males going from the venue & to the car, carrying weapons, the VRM & direction was circulated.

PC Stirling 524YR and PC Howarth 557YR were in an unmarked police vehicle, call sign YR17N. They turned into Allison Road, N8 and saw the ford fiesta VRM L\*\*\*\*\* was stationery it had pulled into the right hand side of the one way street. YR17N had stopped in the middle of the road behind the vehicle and Y1N marked police vehicle (PC Ward 491YR and PC Carter 206YR) then turned into the road and the two vehicles blocked the car.

SUS1 was the driver of the vehicle and he was searched by PC524YR, SUS2 was the front seat passenger and he was spoken to and search by PC557YR and the back seat passenger SUS3 was searched by PC206YR. All searches were for offensive weapons and satisfactory with negatvie results.

All suspects were handcuffed and PC491YR then searched the vehicle. He found two black baseball bats under the drivers seat which were seized.

All three suspects were arrested for Affray and possession of offensive weapon.

## **APPENDIX 2**

### **COPY OF CURRENT LICENSE**

## PREMISES LICENCE

Receipt: FO0103057836

Premises Licence Number: LN/000003314

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,  
Technopark, Ashley Road, Tottenham  
London N17 9LN**

Signature:.....

Date: 26<sup>th</sup> October 2006  
19<sup>th</sup> February 2013

### Part 1 – PREMISES DETAILS

**Postal Address of Premises or, if none, Ordnance Survey map reference or description:**

**ORA POOL CLUB  
581A GREEN LANES  
HARINGEY  
LONDON  
N8 0RG**

**Where the Licence is time limited, the dates:**

Not applicable.

**Licensable activities authorised by the Licence:**

Supply of alcohol

Provision of Regulated Entertainment

Provision of Late Night Refreshment

**The times the Licence authorises the carrying out of licensable activities:**

Supply of alcohol

Sunday to Thursday      1000 to 2330

Friday & Saturday      1000 to 0130

Provision of Regulated Entertainment: Live Music, Recorded Music, Performance of Dance, Anything of a similar description to live music, recorded music or performance of dance:

Sunday to Thursday      1700 to 2330

Friday and Saturday      1700 to 0130

Provision of Late Night Refreshment

Sunday to Thursday      2300 to 2330

Friday & Saturday      2300 to 0130



## **Annex 1 –Mandatory Conditions**

**(2) Supply of alcohol:** 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.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **Additional Mandatory Conditions in relation to Supply of Alcohol**

1.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
  - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
  - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.



## **Annex 1 –Mandatory Conditions**

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that–

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **THE PREVENTION OF CRIME AND DISORDER**

There will be no promotions that encourage illegal, irresponsible, or immoderate consumption of alcohol.

Open containers will not be allowed to leave the premises.

CCTV will be recording on the premises and a bank of 31 days tapes will be held on the premises and will be made available to the Police and the Licensing Authority upon request.

An alarm will be fitted to the premises.

Metal shutter will be fitted to front entrance of premises.

Premises will have a zero tolerance policy towards controlled substances and any person found in possession of a suspected controlled substance will be reported to the police.

### **PUBLIC SAFETY**

Premises will have emergency lighting on the premises.

There will be adequate fire fighting equipment available on the premises.

There will be provisions for free drinking water at the premises.

A first aid box will be available at the premises.

Accident reporting procedures will be in place at the premises.

The exit route will be checked regularly during opening hours.

### **THE PREVENTION OF PUBLIC NUISANCE**

- All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary, adequate and suitable mechanical ventilation should be provided to public areas.
- Entrance / exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.
- The regulated entertainment licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.
- All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.
- All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.
- No music will be played in, or for the benefit of patrons in external areas of the premises.
- Signs shall be displayed in the external areas requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours.
- The external area will be closed and all patrons requested to come inside the main structure of the premises at 2300hrs.
- Glasses will be collected from the external area at the beginning of the day rather than at closing time when neighbours in close proximity might be unduly disturbed.

## **Annex 2 – Conditions consistent with the Operating Schedule**

- Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed.
- All plant and machinery is to be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.
- Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner.
- Signs should be displayed at regular intervals of approximately every 10 yards in the corridor which leads from the entrance on Green Lanes to the staircase leading into the bar requesting patrons to respect the neighbours and behave in a courteous manner.
- From 9pm on Friday and Saturday and also on nights when TENs apply and on Christmas Eve, Boxing Day and New Years Day, and when any regulated entertainment starts through to the close of business, a door supervisor should be on duty at the premises.
- On days where a door supervisor is required, their duties shall include supervising patrons and ensuring they leave in a prompt and courteous manner, respecting neighbours and being positioned on the exit door to ensure, as far as reasonably practical, that patrons do not leave drinks.
- All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.
- The maximum number of persons on the premises should not exceed 60, including all staff and security.
- All conditions put forward in the operating schedule are to be imposed, in addition to the conditions in place on the existing licence.
- A direct contact telephone number for the premises is to be made available to local residents, so that they can contact the premises in the event of any concerns regarding noise and public nuisance
- Where necessary, adequate and suitable mechanical ventilation shall be provided to public areas.
- The Licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.
- No form of loudspeaker, TV or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.

### **THE PROTECTION OF CHILDREN**

Children under the age of 16 **MUST** be accompanied by an adult, and any children remain the responsibility of the accompanying adult when using the premises. Staff will not be allowed to be in sole supervision of children which remains the responsibility of the accompanying adult at all times.

No children will be permitted beyond 2100 hours.

Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

Variation application hearing 19<sup>th</sup> February 2013.

The Committee carefully considered the application, all representations, the Council's Statement of Licensing Policy and the guidance under section 182 of the Licensing Act 2003. It was the Committee's decision to grant the application as follows:

Provision of Regulated Entertainment: Live Music, Recorded Music, Performance of Dance, Anything of a similar description to live music, recorded music or performance of dance:

Monday to Thursday:	1700 to 2330
Friday and Saturday:	1700 to 0130
Sunday:	1700 to 2330

In terms of the operating hours, the Committee decided not to grant the application for the extension of hours for the supply of alcohol, or hours open to the public, save for Christmas Eve, Boxing Day and New Years Day, when the premises would be allowed to open until 2am, and to provide regulated entertainment and the supply of alcohol.

The Committee considered that there was the potential for additional public nuisance if the premises had extended hours, given that the premises was situated in a largely residential area.

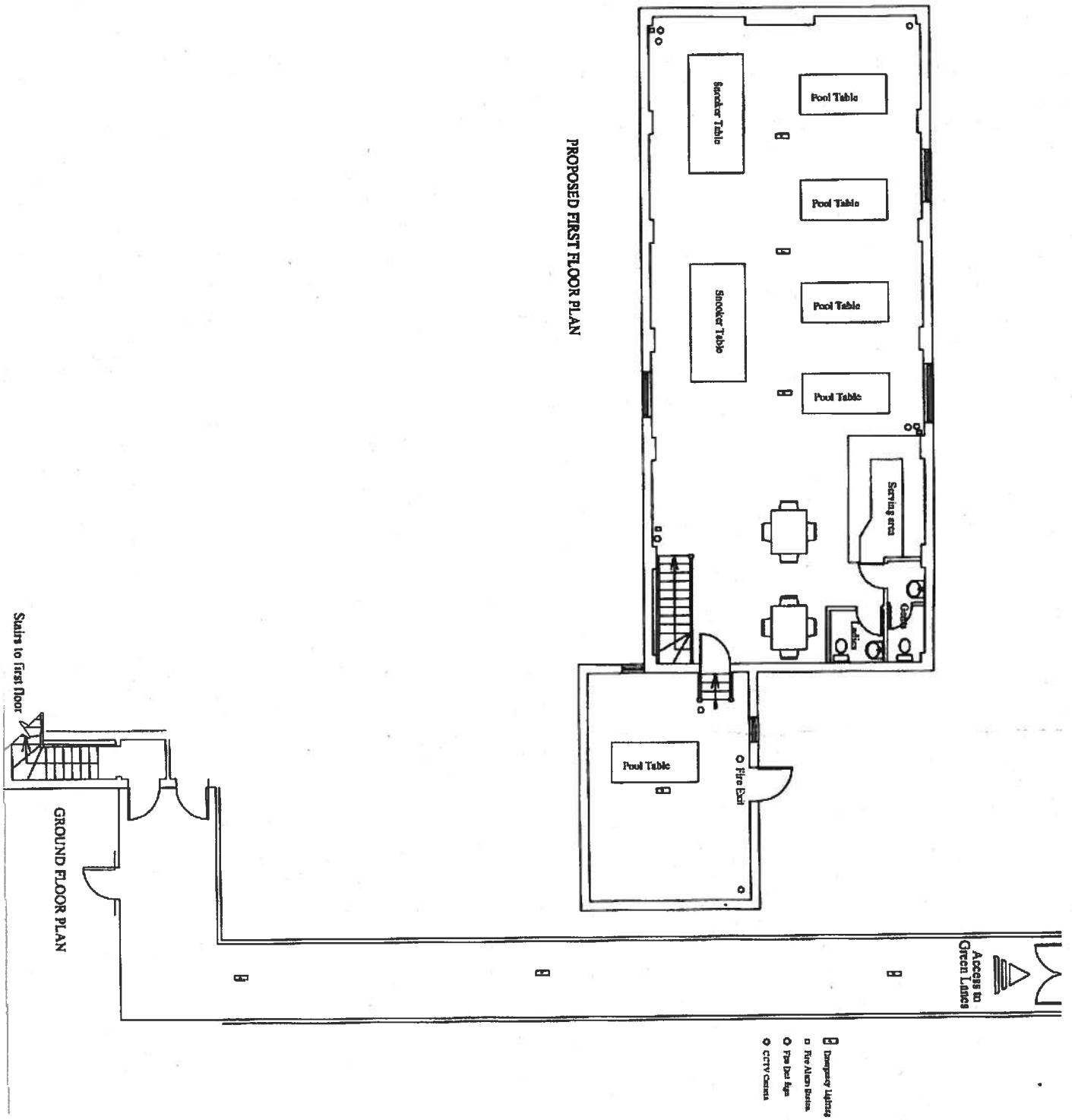
Furthermore, for the prevention of public nuisance, the Committee considered it proportionate and appropriate to impose the following conditions:

- All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary, adequate and suitable mechanical ventilation should be provided to public areas.
- Entrance / exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.
- The regulated entertainment licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.
- All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.
- All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.
- No music will be played in, or for the benefit of patrons in external areas of the premises.
- Signs shall be displayed in the external areas requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours.
- The external area will be closed and all patrons requested to come inside the main structure of the premises at 2300hrs.
- Glasses will be collected from the external area at the beginning of the day rather than at closing time when neighbours in close proximity might be unduly disturbed.

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

- Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed.
- All plant and machinery is to be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.
- Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner.
- Signs should be displayed at regular intervals of approximately every 10 yards in the corridor which leads from the entrance on Green Lanes to the staircase leading into the bar requesting patrons to respect the neighbours and behave in a courteous manner.
- From 9pm on Friday and Saturday and also on nights when TENs apply and on Christmas Eve, Boxing Day and New Years Day, and when any regulated entertainment starts through to the close of business, a door supervisor should be on duty at the premises.
- On days where a door supervisor is required, their duties shall include supervising patrons and ensuring they leave in a prompt and courteous manner, respecting neighbours and being positioned on the exit door to ensure, as far as reasonably practical, that patrons do not leave drinks.
- All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.
- The maximum number of persons on the premises should not exceed 60, including all staff and security.
- All conditions put forward in the operating schedule are to be imposed, in addition to the conditions in place on the existing licence.
- A direct contact telephone number for the premises is to be made available to local residents, so that they can contact the premises in the event of any concerns regarding noise and public nuisance.

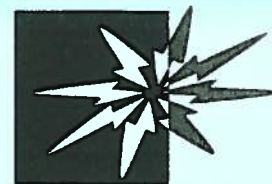
# Annex 4 - Plans



## **APPENDIX 3**

### **COPY OF PUBLIC NOTICE**

# Public Notice



**Haringey** Council

## **Notice of Application for the review of a Premises Licence.**

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Notice is given that application has been made to the Licensing Authority for a review of the premises license under s.51 and 87 of the Licensing Act 2003 in respect of the following premises:

**ORA POOL CLUB  
581A GREEN LANES  
LONDON N8 0RG**

The application for review has been made on the following grounds:

**THE OPERATION OF THE PREMISES HAS FAILED TO UPHOLD THE LICENSING CONDITIONS AND THE OBJECTIVE OF:**

- **THE PREVENTION OF CRIME AND DISORDER**

**Failing to uphold and promote the prevention and crime and disorder objective resulting in violence and disorder with the use of weapons on the 8<sup>th</sup> June 2014 and operating beyond permitted hours**

Interested parties or responsible authorities wishing to make representations must give notice in writing to:

**Lead Officer – Licensing, Haringey Council, Technopark, Ashley Road, Tottenham, London N17 9LN.**

**By: 17<sup>TH</sup> July 2014**

The grounds for review and Haringey Councils Licensing register may be viewed by appointment Monday to Friday (except Bank Holidays) at the Licensing Team, Technopark, Ashley Road, Tottenham, London N17 9LN between the hours of 10.00am and 4.00pm.

**IT IS AN OFFENCE LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£5000), UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**



# Public Notice



## **Notice of Application for the review of a Premises Licence.**

Notice is given that application has been made to the Licensing Authority for a review of the premises license under s.51 and 87 of the Licensing Act 2003 in respect of the following premises:

**ORA POOL CLUB  
581A GREEN LANES  
LONDON N8 0RG**

The application for review has been made on the following grounds:

**THE OPERATION OF THE PREMISES HAS FAILED TO UPHOLD THE LICENSING CONDITIONS AND THE OBJECTIVE OF:**

- **THE PREVENTION OF CRIME AND DISORDER**

**Failing to uphold and promote the prevention and crime and disorder objective resulting in violence and disorder with the use of weapons on the 8<sup>th</sup> June 2014 and operating beyond permitted hours**

Interested parties or responsible authorities wishing to make representations must give notice in writing to:

**Lead Officer – Licensing, Haringey Council, Technopark, Ashley Road, Tottenham, London N17 9LN.**

**By: 17<sup>th</sup> July 2014**

The grounds for review and Haringey Council's Licensing register may be viewed by appointment Monday to Friday (except Bank Holidays) at the Licensing Team, Technopark, Ashley Road, Tottenham, London N17 9LN between the hours of 10.00am and 4.00pm.

**IT IS AN OFFENCE LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£5000), UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

[www.haringey.gov.uk](http://www.haringey.gov.uk)

14/05/10  
13:57:00

[www.haringey.gov.uk](http://www.haringey.gov.uk)

# CAFE ORA

CLUB | SKY RESTAURANT | SHISHA

[WWW.CAFEORA.CO.UK](http://WWW.CAFEORA.CO.UK)

07723346557

SHISHA  
CADDEN

CAFE  
ORA



## Public Notice



Haringey Council

### Notice of Application for the review of a Premises Licence.

Notice is given that application has been made to the Licensing Authority for a review of the premises license under s.51 and 57 of the Licensing Act 2003 in respect of the following premises:

**ORA POOL CLUB  
581A GREEN LANES  
LONDON N8 0RG**

The application for review has been made on the following grounds:

**THE OPERATION OF THE PREMISES HAS FAILED TO UPHOLD THE LICENSING CONDITIONS AND THE OBJECTIVE OF:**

- **THE PREVENTION OF CRIME AND DISORDER**

Failing to uphold and promote the prevention and crime and disorder objective resulting in violence and disorder with the use of weapons on the 6<sup>th</sup> June 2014 and operating beyond permitted hours

Interested parties or responsible authorities wishing to make representations must give notice in Writing to:

Lead Officer – Licensing, Haringey Council, Technopark, Ashley Road, Tottenham, London N17 9LN.

By: 17<sup>th</sup> July 2014

The grounds for review and Haringey Councils Licensing register may be viewed by appointment Monday to Friday (except Bank Holidays) at the Licensing Team, Technopark, Ashley Road, Tottenham, London N17 9LN between the hours of 10.00am and 4.00pm.

**IT IS AN OFFENCE LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£2000), UNDER SECTION 168 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

[www.haringey.gov.uk](http://www.haringey.gov.uk)

# Public Notice



## Notice of Application for the review of a Premises License

Notice is given that application has been made to the Licensing Authority for the review of the premises license under s.51 and 87 of the Licensing Act 2003 in respect of the following premises:

**ORA POOL CLUB  
581A GREEN LANES  
LONDON N8 0RG**

The application for review has been made on the following grounds:

**OPERATION OF THE PREMISES HAS FAILED TO UPHOLD LICENSING CONDITIONS AND THE OBJECTIVE OF:**

**THE PREVENTION OF CRIME AND DISORDER**

in order to uphold and promote the prevention and crime and disorder resulting in violence and disorder with the use of weapons on 1st June 2014 and operating beyond permitted hours

Interested parties or responsible authorities wishing to make representations should give notice in writing to:

Licensing Officer - Licensing, Haringey Council, Technopark, Ashby Road, Tottenham, London N17 9LN.

By 10th July 2014

The grounds for review and Haringey Councils Licensing register may be inspected by appointment Monday to Friday (except Bank Holidays) by the Licensing Team, Technopark, Ashley Road, Tottenham, London N17 9LN, between the hours of 10.00am and 4.00pm.

**ANY OFFENCE LIABLE ON CONVICTION TO A FINE UP TO THE STANDARD SCALE (£5000), UNDER SECTION 150 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN CONNECTION WITH THIS APPLICATION**



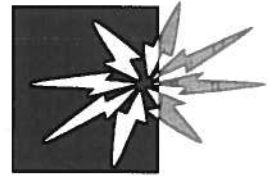
**People's 2014**  
[Circular logo with a globe and text]  
[Additional text and graphics]

**Councilor Campaign to Reorganize Class Codes**  
[Text describing the campaign]

**Share Your Postcard**  
[Form with fields for name and address]

## **APPENDIX 4**

**COPY OF REPRESENTATION FROM COMMERCIAL FOOD  
– HEALTH AND SAFETY.**



**Haringey** Council

## Licensing Consultation - Internal Memo

To: Licensing Officer

From: Commercial EH Team

Name of Officer preparing representation: **Balwinder Heera**

cc: Joint Food & Safety Manager, Felicia Ekemezuma & Rebecca Whitehouse

Our Reference: WK/000290760

Date: 15th July 2014

Premises: Ora Pool Club, Shop, 581A Green Lanes, Hornsey, London, N8 0RG

Type of application: **Review**

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I would like to confirm that I have considered the above proposal with regard to public safety and nuisance on behalf of the Commercial EH Team and would like to bring to your attention the following matters that are currently being dealt with:

1. The premises is not registered under **(EC) No 852/2004 the hygiene of foodstuffs** however a registration form has been sent and registration should be completed by the end of the week.
2. This premises was last inspected on 26<sup>th</sup> June 2014 and was found to be in contravention of current food hygiene legislation. There was a live mice infestation in the servery area and as a result the use of this area was voluntarily prohibited in agreement with the food business operator. Following substantial improvements a revisit was conducted and the voluntary closure was lifted on 2<sup>nd</sup> July 2014 thus the servery was reopened. On this day several photographs were taken of the adjoining shisha bar and the owner was advised not to continue the use of this area as it did not comply with smokefree legislation. On this same day a warning letter was sent to Ora (London) Ltd advising the owner in writing to cease the use of shisha.
3. The existing/proposed smoking shelter is likely to give rise to complaints of nuisance due to its positioning or fails to comply with the Smokefree (Premises & Enforcement) Regulations 2006 in that more it has a ceiling or more than 50% of its sides are enclosed. This section is taking appropriate action to ensure they carry out suitable works to comply.

Supporting Information

Entrance View of Shisha Bar and Lounge



Close-up of Shisha Lounge seating area





**Adjacent Shisha Lounge with no roof**



**Close-up of Adjacent Shisha Lounge with no roof**



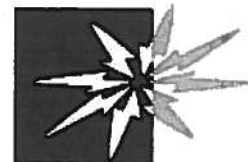
We would be grateful if you could bring these issues to the attention of the sub-committee for consideration when granting this application.

**APPENDIX 4A**

**COPY OF WARNING LETTER ISSUED BY ENFORCEMENT  
RESPONSE**

## Enforcement Response

Units 271-272, Lee Valley Technopark,  
Ashley Road, London N17 9LN  
Tel: 020 8489 1000  
Fax: 020 8489 5133  
[www.haringey.gov.uk/noise](http://www.haringey.gov.uk/noise)



Group Manager Regulatory Services - Eubert Malcolm

**Haringey Council**

Ora Pool Club  
581A Green Lanes  
Hornsey  
London  
N8 0RG

Our ref: P&S/RS WK/000194891

Date: 5th May 2014

Contact: Enforcement Response  
Team

Tel: 020 8489 1000

Email: [enforcement.response](mailto:enforcement.response)

Warning Letter: Licensing Act 2003

Address: Ora Pool Club, Shop, 581A Green Lanes, Hornsey, London, N8  
0RG

Following on from the visit I made on 4<sup>th</sup> May 2014 at 03.00 hrs it was found  
that you were operating beyond your permitted hours.

**The times the Licence authorises the carrying out of licensable  
activities:**

**Supply of alcohol**

**Monday to Thursday 1000 to 2330**

**Friday & Saturday 1000 to 0130**

**Sunday 1000 to 2330**

**Provision of Late Night Refreshment**

**Sunday to Thursday 2300 to 2330**

**Friday & Saturday 2300 to 0130**

**The opening hours of the premises:**

**Sunday to Thursday 0800 to 0000**

**Friday & Saturday 0800 to 0200**

Please note that this is a breach of the conditions on your licence and may  
result in enforcement action being taken.

You are therefore instructed to address these issues urgently, and if not  
compliant within 2 weeks from the date of this letter we will consider  
enforcement action or a review of your licence.

NS136 rev: October 2013

If you would like to comment about the service you receive, please complete our  
online survey [www.haringey.gov.uk/enforcementconsultations](http://www.haringey.gov.uk/enforcementconsultations)

If you have any queries please do not hesitate to contact me on the above details.

You should familiarise yourself with the activities permitted under any current License & such unauthorised use of the premises must cease immediately.

This Authority may seek to prosecute if this or future unauthorised activity is identified. It is in your own interest to ensure that you are complying with the licensing laws.

If any of the above is unclear or you require further clarification please contact the Licensing Lead Officer on 020 8489 8232.

Yours sincerely

C Buckle  
Enforcement Response Team

## **APPENDIX 5**

### **EXTRACT FROM SECTION 182 GUIDANCE**

# 11. Reviews

## The review process

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written application. The licensing authority may also agree in advance that the application need not be given in writing. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 13 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written representation. The licensing authority may also agree in advance that the representation need not be given in writing.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

## **Repetitious grounds of review**

- 11.12 A repetitious ground is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
  - representations considered by the licensing authority when the premises licence or certificate was granted; or
  - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.
- 11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website ([www.legislation.gov.uk](http://www.legislation.gov.uk)). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

### **Powers of a licensing authority on the determination of a review**

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
  - exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
  - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;



- suspend the licence for a period not exceeding three months;
  - revoke the licence.
- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

## **Reviews arising in connection with crime**

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
  - for the sale and distribution of illegal firearms;
  - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
  - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
  - for prostitution or the sale of unlawful pornography;
  - by organised groups of paedophiles to groom children;
  - as the base for the organisation of criminal activity, particularly by gangs;
  - for the organisation of racist activity or the promotion of racist attacks;
  - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
  - for unlawful gambling; and
  - for the sale of smuggled tobacco and alcohol.
- 11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

## **Review of a premises licence following closure order**

- 11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:
- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;

- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- day (there must be five clear working days between the giving of the notice and the start of the hearing).

## **Review of a premises licence following persistent sales of alcohol to children**

11.30 Where persistent sales of alcohol to children have occurred at premises, responsible authorities should consider applying for a review of the licence, whether there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this outcome is appropriate. Responsible authorities should consider taking steps to ensure that a review of the licence is routine in these circumstances.

## **Operating Schedule**

The operating schedule is part of the application for a premises licence and should contain information so that others can assess whether the steps a business intends to take will satisfy the licensing objectives. As such it is asking the applicant how their business will be run. This is an 'assessment of the risks' by the applicant and what control measures or actions are proposed to stop this risk. This must be specific to the premises and activities detailed in the application and not general in nature.

The operating schedule must include and consider:

- what activities are planned at the premises;
- the times during which the applicant proposes that the activities are to take place;
- any other times during which the applicant proposes that the premises are to be open to the public;
- where the applicant wishes the licence to have effect for a limited period, that period must be detailed;
- details of the Designated Premises Supervisor and a copy of the personal licence;
- if the activities include sale of alcohol, whether such sales are proposed to be for the consumption on the premises or off the premises, or both;
- the steps which the applicant proposes to take to promote each of the licensing objectives - See guidance below

(further items may be required from time to time if the Government so directs)

## **The Operating Schedule and the Licensing Objectives**

Operating Schedules must clearly satisfy the four licensing objectives. This is considered in more detail below with each of the objectives in turn.

### **1 . The prevention of crime and disorder**

Licencees have the responsibility to take steps to prevent crime and disorder. The Council will expect applicants to consider various steps and provisions in their Operating Schedule to help in achieving this objective. Such considerations should not only look at issues within the premises, but also matters related to the vicinity of the premises. Listed below are provisions that may be used if applicable.

The record of compliance with respect to the items contained in this section will be considered by the Licensing Sub Committee.

Applicants are expected to demonstrate how these will assist in their premises:

- Registered door supervisors – How they will be used in the premises, what they will be asked to do and what they are seeking to achieve. (NB Door Supervisors must be licensed by the Security Industry Authority) ;
- Use of CCTV - How CCTV will be used and monitored to help prevent crime and disorder;
- The use of responsible drinking promotions - what will and will not be used by the premises to promote custom ;
- Stopping the sale of alcohol to those under 18 years of age- how will the business achieve this. (Of equal concern for both on licences and off licences)
- Promoting of safer drinking (including the use of drink when driving) - what will the business specifically do, policy, practices, how may they assist customers to achieve this;
- Have effective protocols in place to deal with intoxicated patrons and/or persons under the influence of illegal drugs and the supply of illegal drugs. The issue of spiking drinks should also be considered. (This may include for example, co-ordination and participation in a local pubwatch scheme);
- Adequate search facilities - how this will operate;
- Methods to discourage drinking of alcohol ( supplied for consumption on the premises ) in a public place in the vicinity of the premises;
- Procedures to deal with violence and/or anti-social behaviour including any crime which discriminates against any sectors of the community;
- Methods to discourage the handling and distribution of stolen, counterfeit or other illegal goods;
- Addressing prostitution or indecency at the premises;
- Ensuring adequate training given to staff in crime prevention measures
- Procedures for risk assessing promotions and events where the event is likely to attract customers that may heighten the possibility of violence and/or disorder and include plans to minimise such risks.
- Utilising good practices outlined in the British Beer & Pub Association publication- Drugs and Pubs: A Guide for Licensees.

## **2. Public safety**

Licensees have the responsibility to take steps towards protecting public safety. The council will expect applicants to consider various steps and provisions in their Operating Schedule to help in achieving this objective. Listed below are provisions that may be used if applicable. Applicants are expected to demonstrate how these will assist in their premises:

- Use of CCTV and panic buttons - how will these provisions be operated to protect safety ;
- Use of shatter proof drinking vessels or bottles , requiring use of toughened glass or plastic ;
- Use of security personnel both within and at the access points to premises. How many are proposed, what will be the duties and how will their activities protect safety. (Security staff must be licensed by the Security Industry Authority who will also advise on minimum numbers);
- Compliance with Health & Safety legislation including if required a documented health and safety policy statement, and comprehensive risk assessment ;
- Capacity limits where necessary to prevent overcrowding or prevent nuisance on entering or exit;
- Implementation of crowd management measures
- Undertaking the necessary fire safety risk assessment and to be compliant with all relevant building control rules and regulations;
- Adequate lighting (including any Emergency Lighting to BS 5266) - what areas of the premises are considered, particularly external areas.;
- Arrangements for emergency situations including any necessary evacuation ( to include people with disabilities );
- The safe use of special effects equipment e.g. lasers, strobe lighting and smoke machines - this will include details from suppliers and contractors ;
- Installation of fire alarms and fire safety measures- service contracts in place (Fire Alarm to BS 5839 PT1);
- Clear signage throughout the premises e.g. emergency exits, fire extinguishers etc.
- For venues providing music and dancing in a 'nightclub' premises, what specific aspects of Safer Clubbing have been incorporated.
- Arrangements for the management, supervision and training of staff to ensure that the measures incorporated above are implemented.

### **3. The prevention of public nuisance**

In considering all licence applications, the Council will consider the adequacy of measures proposed to deal with the potential for nuisance and /or anti-social behaviour having regard to all the circumstances of the application. Listed below are provisions that may be used if applicable. Applicants are expected to demonstrate how these will assist in their premises:

#### **Noise and other nuisance**