

## NOTICE OF MEETING

# LICENSING SUB COMMITTEE B

**Thursday, 16th March, 2017, 7.00 pm - Civic Centre, High Road,  
Wood Green, N22 8LE**

**Members:** Councillors Vincent Carroll (Chair), David Beacham and Toni Mallett

Quorum: 3

### **1. FILMING AT MEETINGS**

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

### **2. APOLOGIES FOR ABSENCE**

### **3. URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be considered at item 9 below).

### **4. DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

**5. SUMMARY OF PROCEDURE (PAGES 1 - 2)**

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003. A copy of the procedure is attached.

**6. 48 GRAND PARADE, N4 (PAGES 3 - 18)**

**7. HANOI PHO CAFE / RESTAURANT, 1 GRAND PARADE, TOTTENHAM, N4 1JX (PAGES 19 - 50)**

**8. ESPLANADE CLUB, 422 WEST GREEN ROAD, N15 (PAGES 51 - 90)**

**9. ITEMS OF URGENT BUSINESS**

To consider any new items of urgent business admitted under item 2 above.

Helen Chapman, Principal Committee Co-ordinator  
Tel – 020 8489 2615  
Fax – 020 8881 5218  
Email: [helen.chapman@haringey.gov.uk](mailto:helen.chapman@haringey.gov.uk)

Bernie Ryan  
Assistant Director – Corporate Governance and Monitoring Officer  
River Park House, 225 High Road, Wood Green, N22 8HQ

Wednesday 8 March 2017

<b>LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY</b>	
<b>INTRODUCTION</b>	
1.	The Chair introduces him/herself and invites other Members, Council officers, Police, Applicant and Objectors to do the same.
2.	The Chair invites Members to disclose <ul style="list-style-type: none"> <li>i) any prior contacts (before the hearing) with the parties or representations received by them; and separately</li> <li>ii) any declarations of interest.</li> </ul>
3.	The Chair explains the procedure to be followed by reference to this summary which will be distributed in advance.
<b>NON-ATTENDANCE BY PARTY OR PARTIES</b>	
4.	If one or both of the parties fails to attend, the Chair decides whether to: <ul style="list-style-type: none"> <li>(i) grant an adjournment to another date, or</li> <li>(ii) proceed in the absence of the non-attending party.</li> </ul> <p>Normally, an absent party will be given one further opportunity to attend.</p>
<b>TOPIC HEADINGS</b>	
5.	The Chair suggests the “topic headings” for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is: <p><b>Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.</b></p> <ul style="list-style-type: none"> <li>(i) the prevention of crime and disorder,</li> <li>(ii) public safety,</li> <li>(iii) the prevention of public nuisance, and</li> <li>(iv) the protection of children from harm.</li> </ul>
6.	The Chair invites comments from the parties on any other topic headings to be discussed.
<b>WITNESSES</b>	
7.	The Chair asks whether there are any requests by a party to call a witness and decides any such request.
8.	Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to “cross-examine” the witness. The Chair then decides any such request.
<b>DOCUMENTARY EVIDENCE</b>	
9.	The Chair asks whether there are any requests by any party to introduce late documentary evidence.
10.	If so, the Chair will ask the other party if they object to the admission of the late documents.
11.	If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not generally be admitted.

12.	If the other party object to documents produced late but before the hearing, the following criteria shall be taken into account when the Chair decides whether or not to admit the late documents:	
(i)	What is the reason for the documents being late?	
(ii)	Will the other party be unfairly taken by surprise by the late documents?	
(iii)	Will the party seeking to admit late documents be put at a major disadvantage if admission of the documents is refused?	
(iv)	Is the late evidence really important?	
(v)	Would it be better and fairer to adjourn to a later date?	
<b>THE LICENSING OFFICER'S INTRODUCTION</b>		
13.	The Licensing Officer introduces the report explaining, for example, the existing hours, the hours applied for and the comments of the other Council Services or outside official bodies. This should be as "neutral" as possible between the parties.	
14.	The Licensing Officer can be questioned by Members and then by the parties.	
<b>THE HEARING</b>		
15.	This takes the form of a discussion led by the Chair. The Chair can vary the order as appropriate but it should include:	
(i)	an introduction by the Objectors' main representative	
(ii)	an introduction by the Applicant or representative	
(iii)	questions put by Members to the Objectors	
(iv)	questions put by Members to the Applicant	
(v)	questions put by the Objectors to the Applicant	
(vi)	questions put by the Applicant to the Objectors	
<b>CLOSING ADRESSES</b>		
16.	The Chair asks each party how much time is needed for their closing address, if they need to make one.	
17.	Generally, the Objectors make their closing address before the Applicant who has the right to the final closing address.	
<b>THE DECISION</b>		
18.	Members retire with the Committee Clerk and legal representative to consider their decision including the imposition of conditions.	
19.	The decision is put in writing and read out in public by the Committee Clerk once Members have returned to the meeting.	

Report for: Licensing Sub Committee 16<sup>th</sup> March 2017

Item number:

Title: Application for Revocation of Adult Gaming Premises Licence at 48 Grand Parade.London N4.

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

Ward(s) affected: SA

Report for Key/  
Non Key Decision: Not applicable

1. Describe the issue under consideration

- 1.1 The Gambling Commission has terminated the Operating Licence issued to Run Lines Ltd, under section 342 (4) of the Act. The company is owned by a Mr Sanghera. The Gambling Commission terminated the licence due to it becoming apparent that the applicant provided false and misleading statement in the original application for the Operating licence. Each betting premises needs an operating licence in order to qualify to be issued with a Premises Licence to operate a premises in a local authority area. With the termination of the Operating Licence the Licence Holder Run Lines Ltd cannot now operate the adult gaming centre at 48 Grand Parade N4 and the licence will need to be revoked. There is no provision within the Act that triggers an automatic revocation so it falls to the LSC to revoke the premises licence.

2 Recommendations

Revoke the Premises licence issued to Run Lines Ltd.

3. Background

- 3.1 The applicant Mr Sanghera applied to transfer the licence in October 2015 to Run Lines Ltd trading as Magic Gaming. At the time of the application Mr Sanghera provided an Operating licence number : **042465-N-322339-002**

The premises licence was issued on 15<sup>th</sup> March 2016, Appendix 1. We were informed by the Gambling Commission of the owner being under investigation.

A copy of the outcome of the Gambling Commission investigation is attached as Appendix 2. The Gambling Commission has cited the following reasons for the termination :

- the Commission was satisfied that the licensee provided false or misleading information during the application process, with regard to the identity, ownership, integrity and competence of those connected to the operating licence
- the Commission was satisfied that the licensee provided false or misleading information regarding the financial arrangements in respect of the start-up of the licensee's business.

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#### 4. Policy Implications

4.1 Gambling businesses are required to have an operator licence issued by the Gambling Commission before they can operate in Great Britain. Operator licences can be issued for up to ten different types of gambling activity and a separate licence is needed for both remote and non-remote gambling of the same types.

An operator licence gives a general authorisation for a business to provide gambling facilities, but a business wishing to provide non-remote gambling facilities in a licensing authority area is required to apply for a premises licence that is specific to the particular premises.

Operators are required to comply with conditions attached to both their operator and individual premises licences. They are also required to adhere to the mandatory provisions in the Gambling Commission's Social Responsibility Code of Practice and take account of the provisions in the Ordinary Code of Practice.

The removal of the Operating Licence by the Gambling Commission means that the premises at 48 Grand Parade cannot operate to offer gaming/betting on site .

#### 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 relevant legislation.

#### 5. Other considerations

##### 5.1 Human Rights

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

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

#### 6 Use of Appendices

App1- Copy of Gambling Premises Licence

App 2 – Notice on termination / letter sent to Run Lines Ltd from Gambling Commission.

**APPENDIX 1 – Copy of Premises Licence**





**GAMBLING PREMISES LICENCE**

**This licence is issued under section 164 of the Gambling Act 2005 by**

**ADULT GAMING CENTRE PREMISES LICENCE**

**Haringey Council Licensing Authority**

**Premises Licence Number: LN/0000009532**  
**Commencement Date: 1<sup>st</sup> December 2011**  
**Amended Date: 9<sup>th</sup> February 2016**  
**Signature:.....**

**Part 1 – Details of person to whom licence is issued**

**This premises licence is issued to:**  
**Run Lines Limited**  
**of the following address:**  
**29 Newman Street**  
**London**  
**W1T 1PS**

**Part 2 – Details of the premises in respect of which the licence is issued**

**Facilities for gambling may be provided in accordance with this licence on the following premises:**

**Magic Gaming**  
**48 Grand Parade**  
**Green Lanes**  
**London**  
**N4 1AG**

**Part 3 – Premises Licence Details**

**This licence commenced on:**  
**1<sup>st</sup> December 2011**

**This licence is of unlimited duration:**



The following conditions have been attached to the licence by the issuing authority under section 169(1)(a) of the Gambling Act 2005:

- 1. CCTV to be fitted internally and externally, of a digital standard and able to take head shots of persons entering the premises.**
- 2. The entrance and the machine area must be supervised at all times.**

The following conditions, which would otherwise attach to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

**N/A**

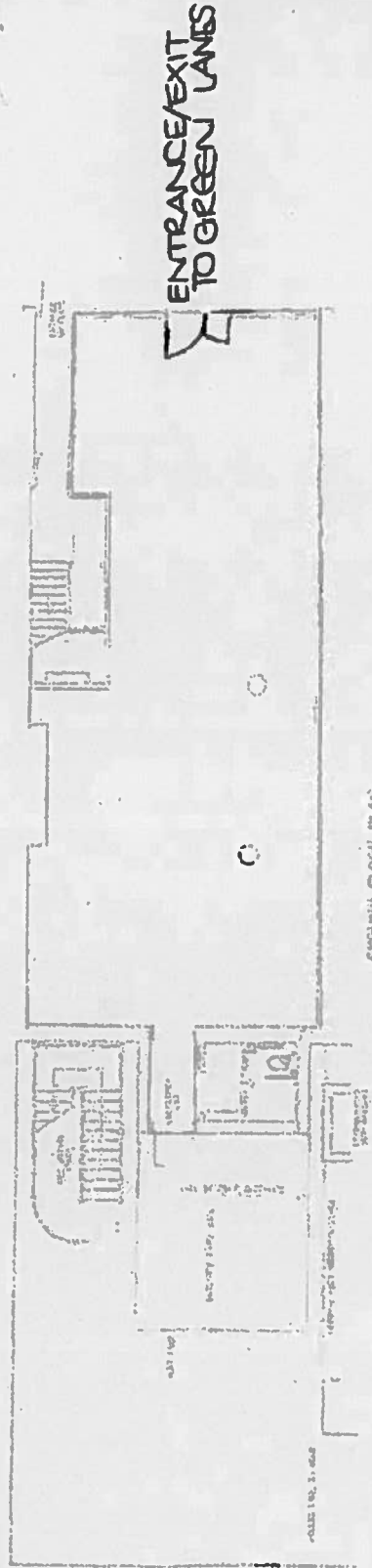
A scale plan is attached as an annex to this licence



LOCATION PLAN 1-1250

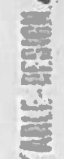
ANYTHING SHOWN ON THIS PLAN WHICH IS NOT REQUIRED BY THE PLAN REGULATIONS IS FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT FORM PART OF THE LICENCE

LOCATION AND EXTENT OF THE PREMISES IN WHICH GAMING MACHINES WILL BE AVAILABLE FOR USE



ARCHITECT FLOOR PLAN

1. To be used for the purpose of the License.	2. To be used for the purpose of the License.	3. To be used for the purpose of the License.	
		4. To be used for the purpose of the License.	5. To be used for the purpose of the License.
6. To be used for the purpose of the License.			
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20. To be used for the purpose of the License.			



**APPENDIX 2 – Notice of termination and copy of letter sent to Run Lines Ltd.**

# Termination of operating licence - Run Lines Limited

## Information notice

The Gambling Commission commenced a review into the operating licence number 042465-N-322339-002 (Run Lines Limited).

Having considered the information provided by the operator during its application, which included the representations made by its sole owner/director Mr Bhavinder Sanghera, the Commission decided to terminate the operating licence under section 342 (4) of the Act.

The reasons for the termination are as follows:

- the Commission was satisfied that the licensee provided false or misleading information during the application process, with regard to the identity, ownership, integrity and competence of those connected to the operating licence
- the Commission was satisfied that the licensee provided false or misleading information regarding the financial arrangements in respect of the start-up of the licensee's business.

## Further notes

1. More information about how we regulate the gambling industry.
2. Useful statistics on the gambling industry.

Posted on 16 February 2017

## Other news

[4th Anti-Money Laundering Directive published](#)

[Action against illegal poker clubs](#)

[Unlicensed operator appears in court](#)

## Share



















Report for: Licensing Sub Committee 16<sup>th</sup> March 2017

Item number:

Title: New Premises Application – HANOI PHO CAFE/ RESTAURANT- 1  
GRAND PARADE LONDON N4

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

Ward(s) affected: ST ANNS

Report for 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 Mr Vincent Phung at the above named premises. The application seeks the following:

Details of the application are as follows:

Supply of Alcohol  
Monday to Sunday 1200 to 2300

For consumption ON the premises

Opening Hours  
Monday to Sunday 1200 to 2300

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

- 1.3 Representation have been received from:

Other Parties  
This is attached as Appendix 2

2 Recommendations

There is no recommendation, but 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.

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### 3. Background

- 3.1 The premises is operating as a cafe/ restaurant but now seeks the ability to sell alcohol. The premises first came to the attention of the Licensing Authority in January 2016 when we received complaints of the premises operating as a restaurant but were dumping cardboard boxes from the alcohol (Beers) being held for sale at the premises without a licence. Officers visited the premises following on from this complaint and found a customer consuming alcohol (a bottle of beer) on arrival as he entered the premises, The officer spoke to a staff member (Mr Chunsang Chin) who confirmed they had sold the beer to the customer accompanying a meal. The officer confirmed that I was following up on a visit made by one of his colleagues earlier who had previously told them they should not be selling alcohol. The staff member was told to remove the alcohol on display in the chiller and move it outside in the garden area and then remove it entirely from the premises. The message was reiterated that they could not sell alcohol without an appropriate license.

A subsequent warning letter was sent to the premises and a follow up visit weeks later found no alcohol being sold from the premises. The premises had further complaints of odour and smell nuisance that was affecting residents. There were also food safety issues that the owner was prosecuted for by the Commercial Environmental Health Team. The application for Premises licence was later submitted in January 2017.

- 3.2 During the consultation period representations were received from Enforcement Response and The Metropolitan Police which have been accepted by the applicant.
- 3.3 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious. There was a representation from three residents. The residents representations also highlight the fact that the premises has had planning issues that are still unresolved. The premises has a temporary change of use to A3 but this expires on 12/03/2017, so will revert back to retail after this time. The applicant Ms Lee has applied to Planning for permission for a flue to be installed at the premises but this was refused by Planning but we understand that Ms Lee has installed the flue in any event. The attached document at Appendix 3 shows the Planning history at the premises.

### 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:

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

**6 Use of Appendices**

Appendix 1- Application form

Appendix 2 – Copy of Representations

Appendix 3 – Copy of Planning history

Background papers: Section 82 Guidance  
Haringey Statement of Licensing policy



**Appendix 1. Application form**

**Haringey**  
LONDON

**Application for a premises licence to be granted  
under the Licensing Act 2003**

AG10904911  
NK/374345

**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~~ **VINCENT PHUNG**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
HANOI PHO CAFE/RESTAURANT 1 GRAND PARADE, HARRINGEY,			
Post town	LONDON	Postcode	N4 1JK
Telephone number at premises (if any)	0203 4895145		
Non-domestic rateable value of premises	£4,850		

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)

- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>PHUNG</b>			First names <b>VINCENT</b>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town					
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

Cafe/Restaurant

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick any that apply

- 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 late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed					
Thur					
			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)	
Day	Start	Finish		
Mon			<p><b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)</p>	
Tue				
Wed				<p><b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p>
Thur				
Fri				
Sat				
Sun				



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Wed			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Wed			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Thur			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption –</b> <u>please tick</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	12pm	11pm						
Tue	12pm	11pm						
Wed	12pm	11pm						
Thur	12pm	11pm				<b>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</b> (please read guidance note 5)		
Fri	12pm	11pm						
Sat	12pm	11pm						
Sun	12pm	11pm						

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

Name	VINCENT PHUNG
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	Southwark

K

**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).**

L

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)
Day	Start	Finish	
Mon	12pm	11.30pm	<p><b>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)</b></p>
Tue	12pm	11.30pm	
Wed	12pm	11.30pm	
Thur	12pm	11.30pm	
Fri	12pm	11.30pm	
Sat	12pm	11.30pm	
Sun	12pm	11.30pm	



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

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

**b) The prevention of crime and disorder**

CCTV in place. Recording more than 31 days. Incident logbook is being kept. Police will be called for any suspicious activity.

**c) Public safety**

Fire exits are marked clearly. Signs are displayed. Licensed vehicles contact number will be provided.

**d) The prevention of public nuisance**

Deliveries after 8am. Customers asked to leave quietly after 10pm. No one will be allowed to drink outside the premises. Rubbish is put out at given time in the evening.

**e) The protection of children from harm**

Challenge 25 policy in place. No alcohol is sold to under 21s.

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 4 – Signatures (please read guidance note 10)**

**Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	12.1.2017
Capacity	Manager

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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 postal address for correspondence associated with this application (please read guidance note 13)**

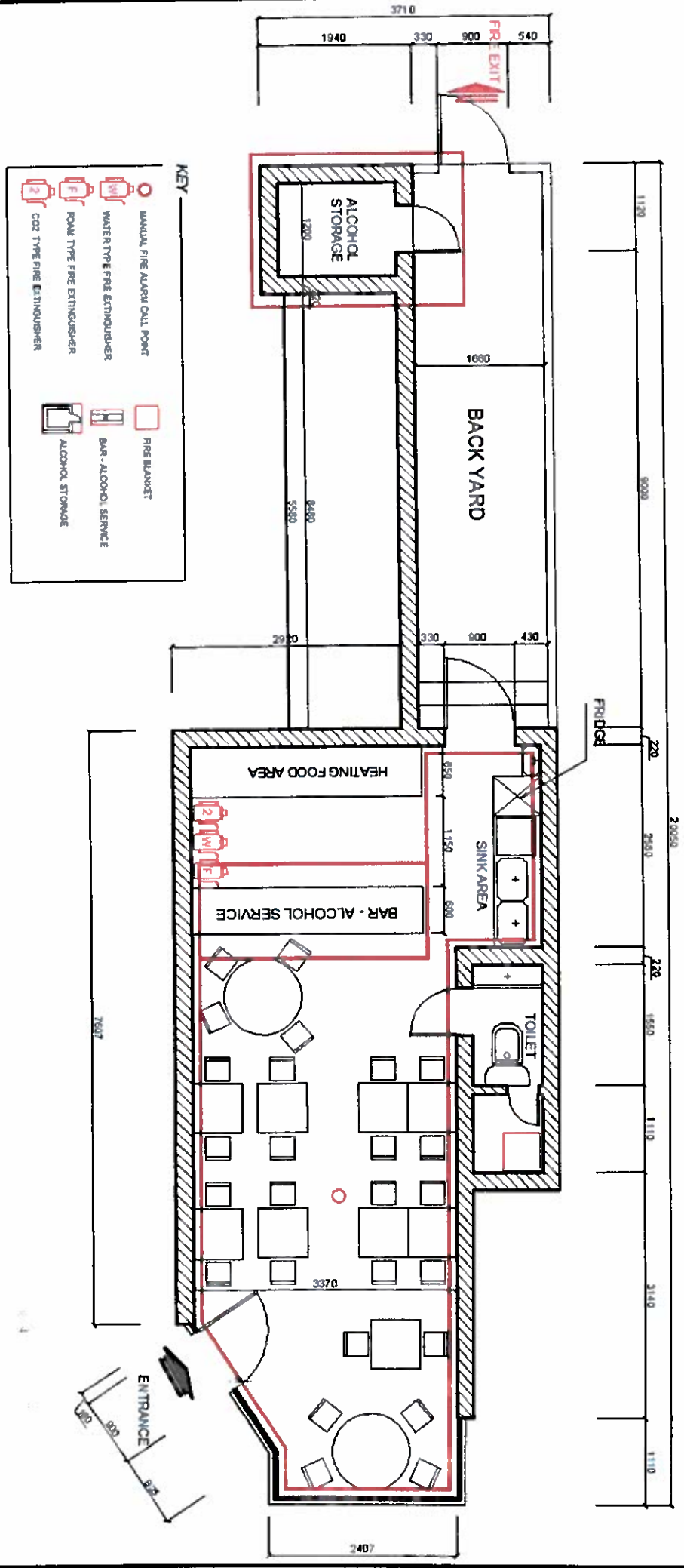
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

**Notes for Guidance**

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application

includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**HANOI PHO CAFE FLOOR PLAN**  
 1 Grand Parade, Green Lanes  
 N4 1JX

**Appendix 2. Representation from other persons**

**Anderson Chanel**

---

**From:** \_\_\_\_\_  
**Sent:** 19 February 2017 19:14  
**To:** Licensing  
**Subject:** Hanoi Pho Cafe Restaurant - 1 Grand Parade N41JX

Dear Sir/Madam

We wish to make representation about the alcohol license for the above premises.

Since the opening of the premises in December 2015 the residents of \_\_\_\_\_ and \_\_\_\_\_ have been continuously been subjected to public nuisance. Extraction odor and noise from kitchen plant and staff. Additionally there has been food butchering and preparation of raw meat in the alleyway which is a serious concern from a public safety perspective. This has been reflected in the downgrading of the Food hygiene rating from 5 to 1. As a result of these issues there have been numerous enforcement and prosecution actions against the premises from the Food Safety, Environmental Health and Planning. Some of these actions are still on going.

The premises holder has shown disregard for the licensing objectives in the way that she has run the premises in the past and we are not convinced that any change in attitude is forthcoming.

Therefore we don't believe that they should be granted the privilege of an alcohol license until all the above has been addressed.

We would also like to note that the application is for Hanoi Pho Cafe Restaurant. Currently Hanoi Pho has a temporary license for restaurant use. This license expires on 12 March at which time the premises must revert to A1 usage.

**Appendix 3- Planning history**

[Home](#) >> [Housing and Planning](#) >> [View Applications](#)  
[Return to Planning Section](#)  
[Application Search](#)  
[Current Planning Applications](#)  
[Major Developments](#)  
[Weekly List](#)  
[Enforcement Notices Search](#)  
[Tree Preservation Orders Search](#)  
[Listed Buildings Search](#)

Home >> [Housing and Planning](#) >> [View Applications](#)

## Online Planning Services

### Search Results List

Click the application reference number to see more details, and comment on current consultations.  
 You can filter your results, or change your criteria, using the [application search](#).

Reference number	Site Address	Ward	Applicant details	Agent details	Development	Decision
<a href="#">HGY/2015/0980</a>	1 Grand Parade London N4 1JX	St Anns	Mrs Kim Le Mare Street, London, E8 3QE	Miss Gokay TozGok Design, 22, Flat 5 Brussels Court, Watermill Lane, London, N18 1ST	Retrospective application for installation of extractor flue ducting	Refused
<a href="#">HGY/2015/0564</a>	1 Grand Parade Tottenham London N4 1JX	St Anns	Mrs Kim Le Mare E8 3QE	Mrs Kim Le , 15-104 Mare Street, E8 3QE	Flexible Change of use under Class D of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 starting from 01/03/2015: Existing Use Class A1 - Proposed Use Class A3	Flexi Change of Use Granted
<a href="#">HGY/2014/2368</a>	1 Grand Parade London N4 1JX	St Anns	Mrs Kim Le Mare Street, London, E8 3QE	Mrs Gokay Toz , 22, Flat 5 Brussels Court, Watermill Lane, London, N18 1ST	Change of use from A1 use (shop) to A3 use (restaurant) with the flue ducting on side elevation (retrospective)	Refused
<a href="#">HGY/2008/1988</a>	The Salisbury, 1 Grand Parade London N4 1JX London		Alive Chapel InternationalGrand Parade, Green Lanes, N4 1JX	Mr David Field , 2, McClintock Place, Enfield Lock, EN3 6LX	Retention of use of first floor as a place of worship (D1)	Refused





Kind regards  
Chanel Anderson

**From:** Barrett Daliah  
**Sent:** 06 March 2017 16:33  
**To:** Anderson Chanel  
**Subject:** Fwd: Re: Hanoi Pho Cafe Restaurant - 1 Grand Parade N41JX

Please send on to Felicity

Documentation from applicant.

Sent from Divide managed by MobileIron

----- Forwarded Message -----  
From: Nilgun Canver <[REDACTED]>  
Date: 6 Mar 2017 16:27:51  
Subject: Re: Hanoi Pho Cafe Restaurant - 1 Grand Parade N41JX  
To: Barrett Daliah <[Daliah.Barrett@haringey.gov.uk](mailto:Daliah.Barrett@haringey.gov.uk)>

Dear Daliah,

Hanoi Pho Cafe/Restaurant situated at 1 Grand Parade N4 became operational on 15 December 2015. The business is owned by Ms. Kim Le.

During part of 2016 the business experienced teething problems as many businesses do. However, these were exasperated with the serious illness of Ms. Le's mother-in-law who lived in Vietnam. As a result, the owner ended up visiting Vietnam most frequently relying on her staff to deal with the business from January to August 2016, to look after her mother-in-law. Regrettably, these caused some public nuisance issues for the residents above.

Ms. Le's mother in law passed away in August 2016. Since then, she gave her undivided attention to the business. Therefore, I would like to confirm that all complaints about noise, food safety and odor nuisance are **historical** and they refer to the running of the business pre September 2016.

Since September 2016, Ms Le and her husband spend most of their time at the premises and a part-time manager is also appointed; Mr. Vincent Phung, who is the applicant. She also built a close working relationship with the Council to respond and comply with all their requirements:

- All food safety recommendations were implemented. Ms. Le requested food safety to revisit the premises at their convenience. Re-inspection is pending and the owner is currently expecting to receive a date from the relevant officers.
- In order to eradicate odor nuisance, since September 2016, Ms. Le amended the menu twice removing the cooking element of it. The premises began to operate as a Cafe. Since then, no cooking is made in the premises. In addition, out of respect and due regard to the residents above, Ms. Le invested a large amount of money and got the RVH 1200 Recirculation Extraction Hood system installed to guarantee the full eradication.

All above improvements were made in close dialogue and with full co-operation of the Council.

I would like to confirm that in the owner's dealings with the Council since September 2016, noise has ever been an issue brought to her attention.

- As it comes to planning, I trust it is not a licensing matter but I would like to mention that I am in liaison with a planning officer.

Ms. Le is a responsible trader and pays due regard to residents. That's why she closes the business at 11pm; changed the menu twice operating as a Cafe and made a large investment to the business. Hanoi Pho is very much welcomed in Green Lanes providing a much desired variety to Cafe and Restaurants available on this vibrant road. Kim is well accepted by other traders and residents of the Harringay neighbourhood.

Ms Le is very sorry that January - August 2016 period caused some nuisance to the residents who live above. She is willing to have a dialogue with the residents to discuss all the improvements and to hear their issues directly from them. She would like to invite them to the Cafe even before the hearing date of 16 March to listen to them and discuss the improvements.

I would also confirm that I am Ms. Le's representative and She will be in attendance on 16 March too.

I hope this is helpful.

Kind regards,

Nilgun

Sent from my iPad

**Ms. Nilgun Canver**  
**The Agent for Ms. Kim Le**

**Business Consultant**

**NC Consultancy**  
**Public and European Affairs, Lobbying, Media and Public Relations, Project Management, Business Support, Stakeholder and Community Engagement**

~~████████████████████~~  
~~████████████████████~~  
~~████████████████████~~

On 21 Feb 2017, at 15:19, Barrett Daliah <[Daliah.Barrett@haringey.gov.uk](mailto:Daliah.Barrett@haringey.gov.uk)> wrote:

Hi Nilgun

Please see below.

Regards

Daliah

---

**From:** ~~████████████████████~~  
**Sent:** 19 February 2017 19:14  
**To:** Licensing  
**Subject:** Hanoi Pho Cafe Restaurant - 1 Grand Parade N41JX

Dear Sir/Madam

We wish to make representation about the alcohol license for the above premises.

Since the opening of the premises in December 2015 the residents of 1 ABC and 2 ABC Grand Parade have been continuously been subjected to public nuisance. Extraction odor and noise from kitchen plant and staff. Additionally there has been food butchering and preparation of raw meat in the alleyway which is a serious concern from a public safety perspective. This has been reflected in the downgrading of the Food hygiene rating from 5 to 1. As a result of these issues there have been numerous enforcement and prosecution actions against the premises from the Food Safety, Environmental Health and Planning. Some of these actions are still on going.

The premises holder has shown disregard for the licensing objectives in the way that she has run the premises in the past and we are not convinced that any change in attitude is forthcoming.

Therefore we don't believe that they should be granted the privilege of an alcohol license until all the above has been addressed.

We would also like to note that the application is for Hanoi Pho Cafe Restaurant. Currently Hanoi Pho has a temporary license for restaurant use. This license expires on 12 March at which time the premises must revert to A1 usage.

[Redacted] and [Redacted]  
[Redacted] Grand Parade  
[Redacted]

[Redacted]  
[Redacted] Grand Parade  
[Redacted]

[Redacted]  
[Redacted] Grand Parade  
[Redacted]

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Report for: Licensing Sub Committee 16<sup>th</sup> March 2017

Item number:

Title: Variation of premises licence – Esplanade Club 422 West Green Road N15.

Report authorised by : Daliah Barrett-Licensing Team Leader

Lead Officer: Daliah Barrett – Licensing Team Leader -Regulatory Services. 0208489 8232. Daliah.barrett@haringey.gov.uk

Ward(s) affected: 'WG'

Report for Key/  
Non Key Decision: Non Key

1. Describe the issue under consideration

1.1 This report relates to an application for a variation of Esplanade Club Premises Licence by Justin Edongba

1.2 The current licence permits the following:

Provision of Regulated Entertainment  
Supply of Alcohol  
Provision of Late Night Refreshment

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

Live Music

Monday to Thursday 1800 to 2330

Friday to Sunday 1000 to 0200

Recorded Music & Provision of Facilities for dancing

Monday to Thursday 1000 to 2330

Friday to Sunday 1000 to 0200

Supply of Alcohol

Monday to Thursday 1000 to 2330

Friday to Sunday 1000 to 0200

Provision of Late Night Refreshment

Monday to Thursday 2300 to 2330

Friday to Sunday 2300 to 0200

All licensable activity

Christmas Eve and New Years Eve: 1000 to 0200

*The opening hours of the premises:*

Monday to Thursday 1000 to 0000

This page is intentionally left blank

Friday to Sunday 1000 to 0230  
Christmas Eve and New Years Eve: 1000 to 0230

Applicant seeking variation hours

Regulated Entertainment: Live Music, Recorded Music & Provision of Facilities for Dancing

Friday & Saturday 1000 to 0330 hours

Christmas Eve & New years Eve 1000 to 0330

Supply of Alcohol

Friday & Saturday 1000 to 0330 hours

Christmas Eve & New years Eve 1000 to 0330

Hours open to the public

Friday & Saturday 1000 to 0400 hours

Christmas Eve & New years Eve 1000 to 0400

1.3 The variation application can be found at - Appendix A.

1.4 Representations have been received from:

Public Health  
Ward Councillors  
Metropolitan Police

1.5 Recommendation

There is no recommendation, but 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

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.

2. Background

2.1 Mr Edongba took over the establishment in June 2015. The premises first came to our attention in July 2015 when the Enforcement Response Officer visited the premises to investigate noise complaints lodged by local residents. The operation of the premises under Mr Edongba has been problematic and shows a history of non compliance which lead to a review of the licence in October 2016.

### 3.2 Powers of a Licensing Authority

**Powers of a Licensing Authority on the Determination of a Review s11.23**  
Licensing authorities should also note that modifications of conditions and 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.

- 3.3 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. Other considerations

Section 17 of the Crime and Disorder Act 1998 states:  
"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area".

#### 4.1 Human Rights

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

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

### 5 Use of Appendices

Appendix A - Variation Application.  
Appendix B - A copy of the current Premises Licence  
Appendix C – Representations from RAs and Other parties

Background papers: Section 82 Guidance  
Haringey Statement of Licensing policy



**Appendix A – Variation Application**



Haringey Council

**Application to vary a premises licence  
under the Licensing Act 2003**

AK910904945

HARINGEY COUNCIL  
LICENSING  
RECEIVED

30 JAN 2017

Reference number:

HK/375002

(1)

**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

(2) I/We JUSTIN EDONGBA

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

LN/000008157

**Part 1 - Premises details**

Postal address of premises or, if none, Ordnance Survey map reference or description

ESPLANADE CLUB  
422 WEST GREEN ROAD  
TOTTENHAM

Post town

LONDON

Postcode

N15 3PU

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ BAND B

**Part 2 - Applicant details**

Daytime contact telephone number

E-mail address  
(optional)

Current postal address if different from premises address

Post town

Postcode

(1) Insert name and address of relevant licensing authority and its reference number (optional)  
(2) Insert name(s) of applicant

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 read guidance note 1)

VARY THE HOURS OF SUPPLY OF ALCOHOL, LIVE MUSIC, RECORDED MUSIC AND DANCING TO FRIDAY & SATURDAY 10.00 TO 03.30

VARY THE HOURS OF OPENING TO FRIDAY & SATURDAY 10.00 TO 04.00

THE ABOVE VARIATIONS TO INCLUDE CHRISTMAS EVE & NEW YEARS EVE

What consideration have you given to the immediate locality with regards to the licensable activities you are applying for?

THE EXISTING CONDITIONS IN ANNEX 2 OF THE PREMISES LICENCE WILL BE STRICTLY ADHERED TO

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

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 for:**

- 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**

---

**A**

<b>Plays</b>			Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)  Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 6)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 3)
Mon			
			State any seasonal variations for performing plays (please read guidance note 4)
Tue			
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

**B**

<b>Films</b>			Will the exhibition of films take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)  Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 6)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 3)
Mon			
			State any seasonal variations for the exhibition of films (please read guidance note 4)
Tue			
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**E**

<b>Live music</b>			Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)
Wed			CHRISTMAS EVE & NEW YEARS EVE 10.00 to 03.30
Thur			Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	10.00	03.30	
Sat	10.00	03.30	
Sun			

**F**

<b>Recorded music</b>			Will the playing of recorded music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)
Wed			CHRISTMAS EVE & NEW YEARS EVE 10.00 to 03.30
Thur			Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	10.00	03.30	
Sat	10.00	03.30	
Sun			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			Please give further details here (please read guidance note 3)
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)
Thur			State any seasonal variations for the performance of dance (please read guidance note 4)
Fri			Non-standard timings. Where you intend to use the premises for the performance of dance at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			Non-standard timings. Where you intend to use the premises for the performance of dance at different times from those listed in the column on the left, please list (please read guidance note 5)
Sun			Non-standard timings. Where you intend to use the premises for the performance of dance at different times from those listed in the column on the left, please list (please read guidance note 5)

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Mon			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)
Wed			Please give further details here (please read guidance note 3)
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Sat			Non-standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list (please read guidance note 5)
Sun			Non-standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list (please read guidance note 5)



<b>Provision of facilities for making music</b>			Please give a description of the facilities for making music you will be providing
Standard days and timings (please read guidance note 6)			Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**J**

<b>Provision of facilities for dancing</b>			Please give a description of the facilities for dancing you will be providing <b>DANCING TO LIVE &amp; RECORDED MUSIC</b>
Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Wed			<b>CHRISTMAS EVE &amp; NEW YEARS EVE</b> <b>10.00 to 03.30</b>
Thur			Non-standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	10.00	03.30	
Sat	10.00	03.30	
Sun			

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b>			Please give a description of the type of entertainment facility you will be providing
			Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
State any seasonal variations for the provision of the facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)			
Non-standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times from those listed in the column on the left, please list (please read guidance note 5)			
Fri			
Sat			
Sun			

<b>Late night refreshment</b>			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	
Standard days and timings (please read guidance note 6)			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

**M**

<b>Supply of alcohol</b>			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7)
Day	Start	Finish	
Standard days and timings (please read guidance note 6)			On the premises <input checked="" type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)
Tue			
Wed			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri	10.00	03.30	
Sat	10.00	03.30	
Sun			

CHRISTMAS EVE & NEW YEARS EVE  
10.00 to 03.30

**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)

*(This area is currently blank for highlighting concerns.)*

**O**

**Hours premises are open to the public**

Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri	10.00	04.00
Sat	10.00	04.00
Sun		

State any seasonal variation (please read guidance note 4)

CHRISTMAS EVE & NEW YEARS EVE  
10.00 to 04.00

Non-standard timings. Where you intend to use 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)

*(This area is currently blank for listing non-standard timings.)*

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

NONE

Please tick  yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

**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)

I AM A RESPONSIBLE RETAILER AND WILL FULFIL ALL THE LICENSING OBJECTIVES BELOW

b) The prevention of crime and disorder

I AND MY STAFF OPERATE ZERO TOLERANCE TO DRUNKENNESS AND POSSESSION OR SALE OF DRUGS  
CCTV SYSTEM INSTALLED AS REQUIRED ON THE PREMISES LICENCE

c) Public safety

FIRE ALARM SYSTEM, EMERGENCY LIGHTS, FIRE FIGHTING EQUIPMENT AND CCTV SYSTEM INSTALLED

d) The prevention of public nuisance

NOTICES INSTALLED REQUESTING CUSTOMERS TO LEAVE QUIETLY  
SOUND RESTRICTION AND DOORS & WINDOWS TO REMAIN CLOSED

e) The protection of children from harm

NO ONE UNDER 18 WILL BE PERMITTED ON THE PREMISES AFTER 21.00 UNLESS ACCOMPANIED BY AN ADULT AND ATTENDING A FUNCTION  
IDENTIFICATION BY MEANS OF APPROVED ID REQUIRED BEFORE BEING SERVED ALCOHOL

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 Aydin & Bright

Date 25<sup>th</sup> JANUARY 2017

Capacity SOLICITORS FOR THE APPLICANT

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)

AYDIN & BRIGHT  
SOLICITORS  
419 LORDSHIP LANE  
TOTTENHAM

Post town LONDON

Postcode N17 6AG

Telephone number (if any) /

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

**Appendix B – A copy of the current Premises Licence**



LICENSING ACT 2003  
Sec 24

**PREMISES LICENCE**

Receipt: AG964313

Premises Licence Number: LN/000008157

*This Premises Licence has been issued by:*

**The Licensing Authority, London Borough of Haringey,  
6<sup>th</sup> Floor Alexandra House, 10 Station Road,  
Wood Green, London, N22 7TR**

Signature:.....

**Date: 27<sup>th</sup> May 2010**  
Review: 06<sup>th</sup> October 2016

**Part 1 – PREMISES DETAILS**

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

**ESPLANADE CLUB  
422 WEST GREEN ROAD  
TOTTENHAM  
LONDON  
N15 3PU**

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

Not applicable

**Licensable activities authorised by the Licence:**

**Provision of Regulated Entertainment**

**Supply of Alcohol**

**Provision of Late Night Refreshment**

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

**Live Music**

**Monday to Thursday 1800 to 2330**

**Friday to Sunday 1000 to 0200**

**Recorded Music & Provision of Facilities for dancing**

**Monday to Thursday 1000 to 2330**

**Friday to Sunday 1000 to 0200**

**Supply of Alcohol**

**Monday to Thursday 1000 to 2330**

**Friday to Sunday 1000 to 0200**

LICENSING ACT 2003  
Sec 24

**Provision of Late Night Refreshment**

**Monday to Thursday 2300 to 2330**

**Friday to Sunday 2300 to 0200**

**All licensable activity**

**Christmas Eve and New Years Eve: 1000 to 0200**

**The opening hours of the premises:**

**Monday to Thursday 1000 to 0000**

**Friday to Sunday 1000 to 0230**

**Christmas Eve and New Years Eve: 1000 to 0230**

**Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:**

Supply of alcohol for consumption **ON** the premises only

**Part 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:**

Justin Edongba  
Flat A  
92 Grosvenor Road  
Hornsey  
London  
N10 2DT

**Registered number of holder, for example company number, charity number (where applicable):**

Not applicable

**Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:**

Guyguy Mande  
29 Morpeth Walk  
Tottenham  
London  
N17 0XH

**Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the Premises Licence authorises for the supply of alcohol:**

Personal Licence: LN/000014610

Issued by: London Borough of Haringey

## **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.
3. (1) The responsible person must 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.
    - 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 in a manner which carries a significant risk of undermining a licensing objective;
    - 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 in a manner which carries a significant risk of undermining a licensing objective;
    - d) 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.
    - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

## **Annex 1 –Mandatory Conditions**

(3) 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 either:-

- (a) a holographic mark or
- (b) an ultraviolet feature.

6. 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) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) The holder of the premises licence
  - (ii) The designated premises supervisor (if any) in respect of such a licence, or
  - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

**Annex 1 –Mandatory Conditions**

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

The Licensee will ensure maximum occupancy limit in place at all times.

Full staff training and development provided.

Any criminal activities will be promptly reported.

Hot and Cold refreshments will be provided.

Premises will use plastic and toughened glass where required.

Responsible sale of alcohol and no happy hours at premises

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

The premises will not be open to the public one hour before closing on weekdays.

The premises will not be open to the public 3 hours before closing on weekends.

Alcohol will be served responsibly.

Premises will provide adequate security and supervision.

### **PUBLIC SAFETY**

Premises will associate with other businesses to report criminal activity,

Premises will install and maintain CCTV system.

Premises will have adequate security at all times.

Full security, when necessary

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

Premises will have sound restrictions and (certified) isolation.

Premises will strictly adhere to maximum occupancy limit.

Premises will promote responsible drinking.

Premises will act with courtesy to its surroundings (residences and other businesses).

There will be no Happy Hours or special alcohol promotions.

### **Airborne**

All doors and windows will remain closed during the licensed activities. Where a door is used for patrons to enter or leave the premises the door will be fitted with a self-closing device and staff told to ensure that it is not propped open. [if necessary] A member of staff shall be positioned at the door to ensure it is opened for as brief a period as possible.

The licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.

Entrance/exit from the premises whilst licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.

### **Structure Borne**

All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.

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

### Sound Limits

All entertainments will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.

### Outside Areas

No form of loudspeaker 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.

### Plant and Machinery & Prevention of Nuisance from Odour

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise or odour.

### Patrons Entering/Exiting Premises

Signs should be displayed instructing patrons to respect the neighbours and behave in a courteous manner.

## **THE PROTECTION OF CHILDREN**

No children will be permitted after 9pm unless they are supervised by an adult and on a special function.

No one under the age of 18 will be allowed on the premises unless accompanied by an adult.

The premises will operate the Challenge 21 scheme and display signs/posters stating that alcohol will not be sold to under 18s.

Staff who make sales of alcohol will receive regular training (induction and refresher).

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**

#### **RESOLVED 6<sup>th</sup> October 2016**

The Committee carefully considered the review application and all representations.

It was the Committee's decision to deal with the application by suspending the licence for a period of 1 (one) month.

#### Reasons

The Committee noted that the licence holder had taken over the premises from June 2015 and since that time there had been 7 separate occasions during which the premises had been found to be operating licensable activities outside of the hours permitted by the licence.

There was a condition on the licence that the licensable activities should cease 30 minutes before closing time and the licence holder had failed to comply. Warnings had been given on each occasion yet the breaches had continued.

The Committee considered the evidence given at the hearing that on 18th July 2016 the premises had in fact been closed and that the persons in occupation of the premises were not patrons but 10 staff who were clearing up and playing background music. (The implication was, that the Licensee continued to engage at 2:30 in the morning for purposes of clearing-up 10 (ten) employees.) The Committee did not find this evidence credible. It preferred the evidence of Enforcement Response that the music was loud and therefore constituted regulated entertainment, especially as the visit had been prompted by a noise complaint.

Representations were made that the licence holder was not experienced, that he had learnt his lesson and that these breaches would never happen again. The Committee was not persuaded by these assurances, as it noted that despite the warning letters and a caution, the breaches had persisted and they continued even after subsequent prosecution. It considered that all previous warnings had been ignored deliberately and there had been a serious and persistent breach of the licence conditions, causing public nuisance.

Modification of the conditions or removal of the designated premises supervisor was considered an inadequate response to these flagrant breaches of the licence and insufficient to promote the licensing objectives.

Revocation of the licence was contemplated, but the Committee wanted to give the licence holder one more chance to comply with his licence conditions.

The financial impact that a period of suspension would have on the business was considered, however it was decided that tough action was needed in order to prevent further public nuisance and to promote the licensing objectives.

Because of the poor management of the premises, the irresponsible trading by the licence holder and the failure to heed previous warnings, the Committee decided it was appropriate and proportionate to suspend the licence for a period 1 (one) month. It was thought that this would promote the licensing objectives by preventing further public nuisance and act as a means of deterring the licence holder from allowing these breaches to occur again.

#### Informative

Whilst the Committee decided that it would afford the licence holder a further opportunity to demonstrate that he would comply fully with the law and his obligations as a licence holder, it






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

wanted the licence holder to be aware that it would take a dim view of any repetition of the activities highlighted in this review.

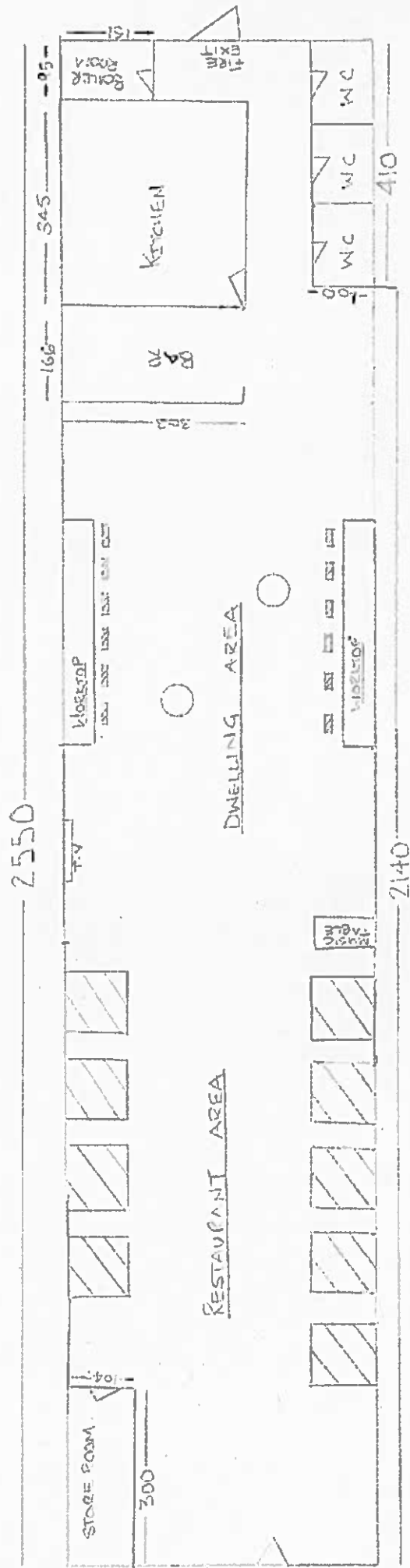
Annex 4 - Plans

FLOOR PLAN

422 WEST GREEN ROAD  
TOTTENHAM N15 3PU  
LONDON

-  TABLES  
CHAIRS
-  SEATING  
TABLES
-  STOOLS

SCALE: 1CM = 1METER



**Appendix C- Representations from RAs**

**Public Health**

**Anderson Chanel**

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**From:** Millward Deborah  
**Sent:** 27 February 2017 14:53  
**To:** Licensing  
**Cc:** Ukandu Monica  
**Subject:** FW: Application for a Variation of a Premises Licence: - Esplanade Club, 422 West Green Road, Tottenham, London N15 3PU (WK/375002)

**Importance:** High

**Categories:** Purple Category

Dear Licensing

Public Health has reviewed the application for a variation to the premises license at 'Esplanade Club' in order to extend the hours of operation. We have specific concerns about the applicant's ability to uphold the 4 licensing objectives. This is in light of the number of separate incidents in which the current license holder has been found to be operating licensable activities outside of the hours permitted by the license.

Esplanade club is located in a residential area on a busy main road. There are 4 schools within 500m of the premises – 3 primary schools and 1 secondary school. The current premises license permits licensable activities to take place until 0200 Friday to Sunday. As stated in Haringey's Statement of Licensing Policy 2016-2021 "licensed premises, especially those that operate late at night or in the early hours of the morning, can give rise to a range of nuisances that may potentially impact on people living, working or sleeping in the vicinity of the premises". The number of incidents that have occurred since June 2015 shows that the license holder is yet to operate in a way that minimises disturbances to the local community and this indicates poor management.

There were 65 incidents of Anti-Social Behaviour (ASB) reported on or near West Green Road in 2016. This was the highest out of 49 roads in the West Green area, with 29 roads having less than 10 ASB incidents in the same time period. Furthermore, there were 25 Violent and Sexual Offences (VSO) reported on or near West Green Road in 2016. This was the joint 2<sup>nd</sup> highest out of 49 roads in the West Green area. To put this into context, 39 of the 49 roads in the area had less than 10 VSOs reported in the same time period.

There is an increasing amount of evidence which shows that those under the influence of alcohol are more likely to commit crimes and engage in anti-social behaviour (ASB). They are also more likely to be the victim of crimes such as common assault and robbery which are significant issues in Haringey. Alcohol is known to exacerbate the likelihood of night time violence and domestic abuse offences (*GLA datastore, 2016*). ASB calls to Haringey Anti-Social Behaviour Action Team (ASBAT) and Police are in excess of 10,000 per year.

The Licensing Authority's expectations of license holders are set out in the policy where it states that "licensees have a responsibility for the conduct of their customers while they are in and around their premises. If provision is made for customers to congregate or smoke outside of premises, then sufficient management controls must be put into place to ensure that no nuisance or disturbance is caused to local residents. Failure to control customers outside of premises can result in licence reviews being submitted and impact upon the premises licence".

In light of the aforementioned, Public Health therefore recommend that the application for a variation to the premises license to extend their hours of operation is rejected. We believe that the license holder needs to first demonstrate that they are capable of promoting the 4 licensing objectives with their current premises license before being permitted to conduct licensable activities later into the night / early hours of the morning.

Yours sincerely

Deborah Millward  
Healthy Public Policy Officer

Haringey Council

**Ward Councillors**

**Anderson Chanel**

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**Subject:** FW: WARD COUNCILLOR REPRESENTATION- Application for a Variation of a Premises Licence: - Esplanade Club, 422 West Green Road, Tottenham, London N15 3PU (WK/375002)

**Importance:** High

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**From:** Cllr Mallett Antonia  
**Sent:** 05 February 2017 23:23  
**To:** Barrett Daliah  
**Cc:** 'westgreen.snt@met.police.uk'; Cllr Ayisi Eugene; Cllr Griffith Eddie  
**Subject:** 422 West Green Road

I would be concerned about the following on this application for a club to operate until 4.00 am:

1. Prevention of public nuisance – the premises has residential above, behind and to either side of it.
2. Prevention of crime and disorder – this is an area where we are having displaced problems of drugs and other ASB from the operations on Duckett's Common, and having a club open till 4.00 am on this site would be unhelpful. Another club across the road has only just closed down after considerable complaints about people making too much noise leaving much earlier than 4.00 am.

Yours,

Cllr Toni Mallett  
Labour Member for West Green Ward



**Metropolitan Police**



**Anderson Chanel**

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**From:** Licensing  
**Subject:** FW: Application for a Variation of a Premises Licence: - Esplanade Club, 422 West Green Road, Tottenham, London N15 3PU (WK/375002)

**From:** Mark.L.Greaves@met.pnn.police.uk [mailto:Mark.L.Greaves@met.pnn.police.uk]  
**Sent:** 27 February 2017 14:43  
**To:** Licensing  
**Cc:** Barrett Dallah  
**Subject:** RE: Application for a Variation of a Premises Licence: - Esplanade Club, 422 West Green Road, Tottenham, London N15 3PU (WK/375002)

Dear Mrs Barratt

Police wish to object to the application by Justin Edongba to vary the Premises Licence of Esplanade Club, 422 West Green Road N15 3PU by extending his hours by one hour on Fridays and Saturdays. The venue has previously been Reviewed for opening after its licensed hours and from my interaction below with applicant it appears he is still opening late, no TEN on 12<sup>th</sup> February 2017 and to refute allegations of other breaches I asked to view his CCTV but he erased all information before I arrived for meeting. The Review decision mentions lack of experience of applicant and poor management but Police consider management is still poor and applicant has continued to open later than permitted hours. I attended Cudi Super Market next door to view their CCTV covering footway but it was limited and I only saw staff with full black bin liners leaving after 0600 hours. The allegation that clients exited from the rear means they would not show on frontage CCTV only inside venues CCTV and that was wiped.

**On Tuesday 21/02/2017 at 1330 I attended Esplanade Bar, 422 West Green Road N15 regarding an application by Justin Edongba, Premises Licence Holder, to extend venues licensed hours by 1 hour. Appointed booked by email: Dear Justin**

Myself and Mrs Barrett would like to meet you to discuss the attached application submitted by yourself. We have also received information your venue has been staying open past its licensed hours and so would like to view your CCTV to ascertain it meets the required quality for a late opening licensed venue and to confirm you have not breached your licensed hours. To that end can we meet you at Esplanade at 1400 on Tuesday 21<sup>st</sup> February 2017?

Regards

Mark

At venue I met Eddie, Licensing Consultant and Solicitor from Aydin & Bright. I explained that there had been a disturbance outside venue at 0330 on 12/02/2017 when venue should have closed at 0230. Justin told me persons causing disturbance did not come from his club and he had a TEN on that day until 0330. I told him the TEN was for 10<sup>th</sup> & 11<sup>th</sup> but he disagreed although could not find TEN. There was no TEN on 12<sup>th</sup> Feb. He mentioned a car crash outside saying it was nothing to do with his clients. I pointed out the crash happened at 0330 so how did he know about it. He told me his SIA told him as they were still there until he had counted the cash. I told him an allegation had been made that clients remained in venue after licensed hours with front shutters down and they gained entry and left via fire exit at rear. We all went out the rear and it was pointed out an unlocked padlock secured the door to street but I pointed out that could be removed at night and way clear to enter / leave. I asked to see CCTV to confirm venue was closing on time and Justin and I went behind counter to CCTV screen. He then told me 2 Terabyte Hard Drive did not hold enough material as car lights and movement increased data and he had phoned the engineer 30 minutes before I arrived and tried to alter the machine to only record when there was movement. I told him I had seen 31 day systems with 2 Terabyte hard drives. I told him I was suspicious and did not believe he had accidentally erased all footage 30 minutes before I arrived knowing I was coming to check CCTV. He told me he had made a mistake and erased all previous footage and that hard drive only held 2 days of recording at any one time. He agreed in the future it would hold 31 days. I said I would object to his application.

Police wish to add the following Conditions to the venues Premises licence under Preventing Crime and Disorder:

**A digital CCTV system to be installed in the premises.**

**Cameras must be sited to observe the entrance doors from both inside and outside.**

**Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.**

**Cameras must be sited to cover all areas to which the public have access including any outside smoking areas.**

**Provide a linked record of the date, time of any image.**

**Provide good quality images - colour during opening times.**

**Have a monitor to review images and recorded quality.**

**Be regularly maintained to ensure continuous quality of image capture and retention.**

**Member of staff trained in operating CCTV at venue during times open to the public.**

**Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.**

**A minimum of 1 S.I.A registered security staff to be present from 2200 on Fridays and Saturdays until it closes and all members of the public have left and been dispersed.**

**An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:**

- (a) all crimes reported to the venue**
- (b) all ejections of patrons**
- (c) any complaints received**
- (d) any incidents of disorder**
- (e) seizures of drugs or offensive weapons**
- (f) any faults in the CCTV system or searching equipment or scanning equipment**
- (g) any refusal of the sale of alcohol**
- (h) any visit by a relevant authority or emergency service.**

Regards

Mark Greaves

**Mark Greaves PC 164YR  
Community & Youth Engagement  
Licensing Officer  
Haringey BOCU  
Territorial Policing**

**Tel: / Mobile:**

Haringey police are here

- for victims,*
- to build trust with communities,*

- *to prevent crime in partnership,*
- *and to bring offenders to justice.*

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