

NOTICE OF MEETING

SPECIAL LICENSING SUB COMMITTEE

Wednesday, 27th October, 2021, 6.00 pm - MS Teams (watch it [here](#))

Members: Councillors Gina Adamou (Chair), Viv Ross, and Yvonne Say.

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. 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', 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**

To receive any apologies for absence.

3. **URGENT BUSINESS**

It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

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

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003.

6. APPLICATION FOR A NEW PREMISES LICENCE AT RINCON DE YIRDA, 487 SEVEN SISTERS ROAD, LONDON, N15 (PAGES 1 - 36)

To consider an application for a new premises licence.

Fiona Rae, Principal Committee Co-ordinator
Tel – 020 8489 3541
Email: fiona.rae@haringey.gov.uk

Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
River Park House, 225 High Road, Wood Green, N22 8HQ

Wednesday, 10 November 2021

Report for: Licensing Sub Committee – 27 October 2021

Title: Application for a New Premises Licence – Rincon De Yirda, 487 Seven Sisters Road, Tottenham, London, N15 6EP

Report authorised by: Daliah Barrett, Licensing Team Leader, Regulatory Services

Ward(s) affected: Seven Sisters

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 premises licence by Yirda Turbi Rosario.

1.2. The application seeks the following:

Late Night Refreshment

Monday to Sunday 2300 to 0100 hours

Supply of Alcohol

Sunday to Thursday 1100 to 2330 hours
Friday to Saturday 1100 to 0030 hours

Supply of alcohol **ON** the premises

Hours open to public

Monday to Sunday 1000 to 0100 hours

1.3. The application is set out at **Appendix 1** to the report.

1.4. Representations have been received from the Licensing Authority, as set out in **Appendix 2**, and the Police, as set out in **Appendix 3**. The police representation has now been withdrawn.

1.5. Recommendation

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. The premises are situated along Seven Sisters Road and form part of a large shop frontage that has been separated into two units. The premises operates in the unit that is also shown to have the trading name of 'One Love Barbers'. The premises first came to the Licensing Authority's attention in late 2019 and again in July 2020 by Covid marshals when it was found operating as a hairdressers to the front and a social club to the rear with alcohol on sale. The officer report advised of *'a bar operating in the above premise. The bar is at the rear of the beauty salon. I could not take photographs of the bar because the shop was overcrowded when I visited. The business owner was away, and the people in the business were not helpful so I could not ask much question about the business and the bar at the rear. Someone did confirm that they are running a bar, and the busines have been opened for over a year'*.
- 2.2. A further visist was undertaken on 15 July 2020 and the Enforcement officer noted the following: *'visited the premises this evening, the shutter was half down however we walked freely in. Nine people were sitting in the rear of the premises most of them were drinking bottles of beer, there was no food available as the kitchen was closed. I spoke with a lady called YULI BIANCO ENEARNACION, she informed me that all the alcohol was bought into the premises and was not sold on site, she became very rude after I informed her thay she should not have alcohol being sold on the premises. Once we left and went outside we saw three identical bags to the one in her bin, when we looked through them it was full of waste food, alcohol and paper towel. Although we suspect it was their waste, we could not prove it, we will be serving them with a section 34 notice for a copy of their waste transfer. The premises received warning from the Council and information on steps required to ensure compliance with the law. Their agent had previously submitted TENS applicatons for the premises in 2019 so knowledge of the need for authorisation to sell alcohol was known by the applicant.*
- 2.3. Since the submission of this application the applicant was found to be offering licensable activity without authorisation on 18 September 2021; the Council Enforcement Team will be prosecuting for this offence.

3. Licensing Policy

- 3.1. The Committee will also wish to be aware of the guidance issued under section 182 of the Licensing Act 2003. Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions are focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.

- 3.2. The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety, and protection of children from harm. It is the Licensing Authority's wish to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
- 3.3. In considering licence applications, where relevant representations are made, the Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.
- 3.4. Applications shall only be granted where the Licensing Authority is satisfied the grant of the licence would not harm the licensing objectives following a hearing. Where relevant representations are made, the Licensing Authority will also have particular consideration to the hours requested for sales of alcohol. Persons who are alcohol-dependant may be drawn to particular premises if they are licensed to sell alcohol at earlier or later times than other premises. Additionally, if there are issues related to late-night disorder, the hours for alcohol sales from the premises may be restricted. Other conditions may be imposed directed at avoiding problematic street drinking in the vicinity of the premises. Another particular concern will be irresponsible drink promotions that do not follow best practice, would appeal to underage drinkers or street drinkers, or encourage excessive consumption.
- 3.5. Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 3.6. This Licensing Authority, in determining what action to take, will seek to establish the cause of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 3.7. Also, the Licensing Authority may not impose conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of the hearing that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Therefore conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be required.
- 3.8. Members should make their decisions on the civil burden of proof, that is the balance of probability.
- 3.9. Members should consider in all cases whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.

- 3.10. The government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff. The Council's Statement of Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

4. Licensing hours

- 4.1. Where relevant representations are made, the Council will consider the proposed hours on their individual merits. Notwithstanding this, the Council may require stricter conditions in areas that have denser residential accommodation to prevent public nuisance. The Council will endeavour to work with all parties concerned in such instances to ensure that adequate conditions are in place. The Council may restrict the hours that certain premises can offer alcohol for sale for consumption off the premises for preventing crime, disorder and nuisance.

5. Powers of a Licensing Authority

- 5.1. 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.
- 5.2. The Licensing Authority's determination of this application is subject to a 21 day appeal period or if the decision is appealed the date of the appeal is determined and /or disposed of.

6. Other considerations

- 6.1. 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'.

7. Human Rights

- 7.1. While all Convention Rights must be considered, those which are of particular relevance to the application are:
- Article 8 – Right to respect for private and family life.
 - Article 1 of the First Protocol – Protection of Property.
 - Article 6(1) – Right to a fair hearing.
 - Article 10 – Freedom of Expression.

8. Use of Appendices

Appendix 1 – Application Form

Appendix 2 – LA Responsible Authority Representations
Appendix 3 – Police representation

9. Background papers

Section 82 Guidance
Haringey Statement of Licensing Policy

This page is intentionally left blank

Appendix 1 – Application and Accompanying Information



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

When complete, please return this form by email to: licensing@haringey.gov.uk.

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

I/We Yirda Turbi Rosario

(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 Rincon de Yirda 487 Seven Sisters Road			
Post town	London	Postcode	N15 6EP
Telephone number at premises (if any)	020 8809 6677		
Non-domestic rateable value of premises	£10,500.00		

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/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) 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 (by ticking yes to one box below):

- 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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)
Surname Turbi Rosario		First names Yirda		
Date of birth [REDACTED]	I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality [REDACTED]				
Current residential address if different from premises address		[REDACTED]		
Post town	London	Postcode	N15 6EP	
Daytime contact telephone number		[REDACTED]		
E-mail address (optional)		[REDACTED]		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)				
N/A				

--

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	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)				
Current residential address if different from premises address				
Post town			Postcode	
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)	[REDACTED]
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
3	00	9 2 02 1

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

DD	MM	YYYY

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

Small Family friendly Local shop on Seven Sisters Road
 Providing Latin Caribbean Food Dine-In. Takeaway. Delivery
 Maximum Occupancy not exceeding 30 including Staff
 This limit currently reduced due to the Pandemic.

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

25

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed			<u>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</u> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for the performance of dance (please read guidance note 5)		
Tue					
			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 (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>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</u> (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	Please give further details here (please read guidance note 4)		
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	01:00	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 (please read guidance note 6)		
Sat	23:00	01:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	23:30	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	11:00	23:30			
Wed	11:00	23:30			
Thur	11:00	23:30			
Fri			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
	11:00	00:30			
Sat					
	11:00	00:30			
Sun	11:00	23:30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Yirda Turbi Rosario
Date of birth	██████████
Address	████████████████████ ████████████████████ ████████████████████
Postcode	██████████
Personal licence number (if known)	██████████
Issuing licensing authority (if known)	LB ENFIELD

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 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	01:00	<p>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 6)</p>
Tue	10:00	01:00	
Wed	10:00	01:00	
Thur	10:00	01:00	
Fri	10:00	01:00	
Sat	10:00	01:00	
Sun	10:00	01:00	

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 10)

The Premises Licence Holder as Business Owner will ensure that every staff member will be fully prepared and trained to carry out their duties in regard to Licensing Responsibilities and Food Safety..

b) The prevention of crime and disorder

There will be zero tolerance of any antisocial or criminal activity caused by patrons within or near the premises. CCTV surveillance will be in use for the benefit of all including outside surveillance..

Patrons would always be attended to in a friendly and welcoming manner . But would be dealt with tactfully in the event of a breach. Smoking is not allowed on the premises.

c) Public safety

The premises services and installations and its interior building fabric will be regularly inspected and maintained in order to provide a safe environment for all In the interests Of Health and Safety, particularly Fire Protection, Lighting and Ventilation ,,its Fire/smoke alarm system, emergency lighting and cctv.

d) The prevention of public nuisance

If any music would be provided during opening hours it must be reduced to a minimum audible level after 23:00 hrs and in any case not to be audible outside of the premises or discernible to near residential neighbours. The cooking extract system is to be maintained in good state able to prevent odour escaping into the interior or causing any nuisance to adjoining neighbours. Patrons to be verbally reminded to exit quietly when leaving the premises in the later hours

e) The protection of children from harm

Underage drinking is not permitted and a challenge 25 rule would be adopted. The venue is a family friendly destination and small children may be permitted in the company of responsible adult relatives or guardian. They would generally be expected not to remain or arrive after 20:00

Checklist:

Please tick to indicate agreement

- 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. ☐
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☐

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

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	W. GLEN GLEN LAKB
Date	01/09/2021
Capacity	APPLICANT'S AGENT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14) GLEN LAKE [REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

When complete, please return this form to licensing@haringey.gov.uk.



Consent of individual to being specified as premises supervisor

I, YIRDA TURBI ROSARIO



hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premises Licence

By

YIRDA TURBI ROSARIO

[name of applicant]

relating to a premises licence

N/A

[number of existing licence, if any]

RINCON DE YIRDA
487 SEVEN SISTERS ROAD
London N15 6EP

*[name and address of premises
to which the application relates]*



and any premises licence to be granted or varied in respect of this application made by

YIRDA TURBI ROSARIO

concerning the supply of alcohol at

RINCON DE YIRDA
487 SEVEN SISTERS ROAD
LONDON N15 6EP..

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

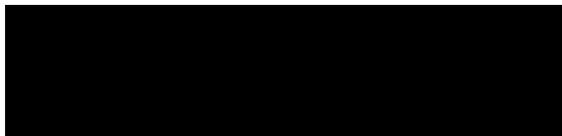
[insert personal licence number, if any]

Personal licence issuing authority

LB ENFIELD

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

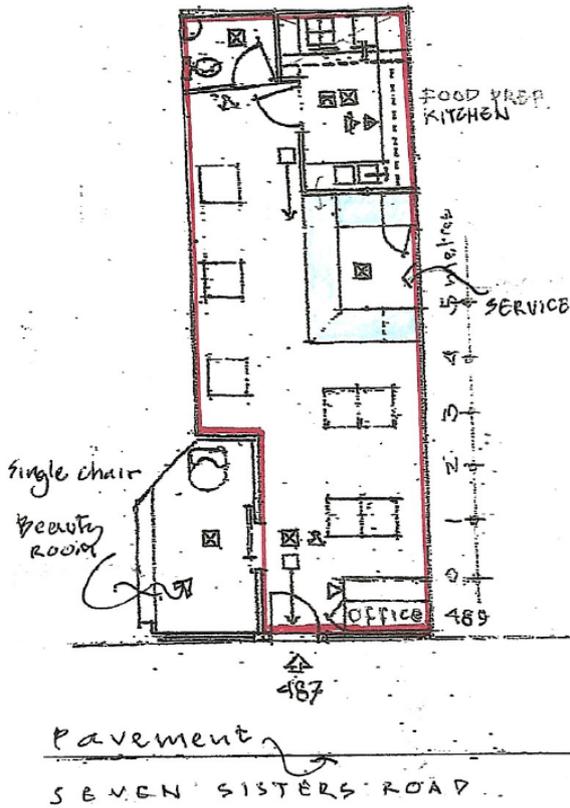
YIRDA TURBI ROSARIO

Date

26-8-2021

FIRE PROTECTION, MEANS OF ESCAPE AND EQUIPEMENT

Fire fighting equipment to comply with the requirements of BS 5306
 All signage to comply with the signs and signals regulations and meet the requirement of BS 5499



- S22 NOTICE
- ESCAPE (Emergency) LIGHTING
- FIRE EXIT →
- HEAT DETECTOR
- SMOKE DETECTOR
- FIRE ALARM CALL POINT
- FIRE ALARM CONTROL PANEL
- WATER FIRE EXTINGUISHER
Maintained yearly
- CO2 FIRE EXTINGUISHER
Maintained yearly
- FOAM FIRE EXTINGUISHER
Maintained yearly
- FIRE BLANKET
- PE PUSH BAR
- FD FIRE DOORS FD 30/S

ALL FR CONSTRUCTION TO BE NOT LESS THAN 30 MIN FR LININGS AND SURFACE FINISHES OF WALLS AND CEILINGS TO HAVE CLASS 0 FLAME SPREAD RATING

CCTV
 Actual position to be determined on site

RINCON de YIRDA RESTAURANT

487 SEVEN SISTERS ROAD

London N15 6EP

LICENSING PLAN

Scale 1:100 Date MAY 2021

© GlenLake [REDACTED]

[REDACTED]

Appendix 2 – Licensing Authority Representation

Rincon De Yirda
487 Seven Sisters Road
Tottenham
London
N15 6EP

Your Ref:

Our Ref:

Date: 16th September 2021

REPRESENTATION LETTER

Dear Sir/Madam,

LICENSING ACT 2003 – Application for a Premises Licence- Rincon De Yirda

487 Seven Sisters Road, Tottenham, London N15 6EP

The premises are known to the Licensing Authority and came to our attention in July 2021 via the reassurance visits being carried out by the Covid marshals. The premises was found to be operating as a hairdressers at the front but in the rear a social club with alcohol was found to be operating.

Follow up visits were made and warnings issued by the Council and Police. A further 3 visits found alcohol being consumed on site by patrons, the operator claiming that patrons had brought their own alcohol to the premises. Following this the agent Mr Lake submitted a series of temporary event notices for the business to enable it to offer alcohol sales correctly. They have had 11 Temporary Event Notices (TENS) granted this year on the following dates;

21/05/2021 – 23/05/2021
28/05/2021 – 30/05/2021
04/06/2021 – 06/06/2021
11/06/2021 – 13/06/2021
18/06/2021 – 20/06/2021
25/06/2021 – 27/06/2021
03/07/2021 – 04/07/2021
17/07/2021
25/07/2021
31/07/2021
07/08/2021

The times for which these were granted for were 1100 – 0000 for around 15 people for the sale of alcoholic beverages with table meals. Their maximum amount of days has been reached for the calendar year so can no longer use this option.

That has not deterred the owner however and on September 18th 2021, at 22:52 hours, officers observed a lot of people inside the premises dancing to loud music, being served alcohol and consuming alcohol in the premises. There was no authorisation in place for this activity. The owner is of course aware that the application for a premises is currently under consultation but still knowingly disregarded the law and offered licensable activity without a licence. Enforcement Officers are instigating a prosecution for the activity witnessed.

The Police have also received complaints from residents relating to the venue. "We have received a noise complaint regarding a bar/restaurant. The informant stated that there are parties into the early hours of the morning every weekend. This is causing a lot of stress for them and their children. They also state that during the week the building alarms are also

triggered due to staff smoking from the kitchen restaurant. We have been asked to investigate complaint.

487 SEVEN SISTERS ROAD N15.

This appears to be a Barber/Money Transfer shop at the front. We have visited the premises and there appears to be a restaurant/kitchen sub-let at the rear of the property”

The ASB Enforcement service have also received complaints from the Local MP on behalf of local residents who have been affected by the noise nuisance and late night operation of the premises.

Prevention of Public Nuisance

The hours being applied for will take the premises outside of any permitted Planning conditions that limits the operation of the premises between 9am and midnight. The premises has residential properties directly above and there has been reports made to the Police by residents who have been impacted by the unauthorised activity that the owner has permitted to take place without a licence.

The Licensing Authority cannot support this application due to the disregard for the law shown by the management of the establishment in the past year.

However, **if** the LSC consider that the applicant should be given the opportunity to be trusted to comply with the law and manage the business in such a way to ensure residents are not affected or impacted by this operation, we propose the following alterations to the hours applied for:

- **Late Night Refreshment:**
Friday – Saturday N/A
- **Supply of Alcohol – ancillary to a substantial meal**
Sunday to Monday 11am to 2130
Supply of alcohol **on** the premises.
- **Hours open to Public**
Sunday - Monday 10am to 2200

Further conditions:

The premises is **not** to be operated as a bar or social club.

Alcohol must only be served with a substantial meal to seated patrons.

Any music played within the premise must be for background purposes only and must not be heard outside the licensed premises.

The premises licence holder shall ensure that all staff receive training on checking customer identification, and in not serving those under the influence of alcohol and drugs. Records of such training shall be maintained at the premises and made available to a Police officer or an authorised officer of the licensing authority upon request.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

Licensing Enforcement Officer

This page is intentionally left blank

Appendix 3 – Police Representation



POLICE REPRESENTATION

Name and address of premises: Rincon De Yirda
487 Seven Sisters Road
Tottenham
N15 6EP

Type of Application: New Premises Licence

In summary, I wish to make representation on the following:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

Having read and considered the application, we propose the following wording if a Premises License is to be considered and/or granted.

1) A digital CCTV system must be installed in the premises complying with the following criteria:

- (a) Cameras must be sited to observe the entrance doors from both inside and outside.
- (b) 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.
- (c) Cameras must be sited to cover all areas to which the public have access including any outside smoking areas.
- (d) Provide a linked record of the date, time of any image.
- (e) Provide good quality images - colour during opening times.
- (f) Have a monitor to review images and recorded quality.
- (g) Be regularly maintained to ensure continuous quality of image capture and retention.
- (h) Member of staff trained in operating CCTV at venue during times open to the public.
- (i) 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.

2) 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.

3) A minimum of 2 SIA approved contractor scheme door supervisors shall be employed on the premises on days the venue is open from 2000 hours, until the premises has closed. At least one door supervisor shall remain directly outside the premises for 30 minutes after the premises has closed or until all customers have dispersed. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance. This also includes the following:

- a) Door supervisors shall wear yellow reflective jackets so they can be easily identified
- b) Written or electronic records of the date, time, name and badge number of all door supervisors shall be kept each day and verified by the manager. These records shall be made available to Police or the Local Authority on request.
- c) The designated premises supervisor or a member of the management shall check door supervisor's registration on the Security Industry Authority (SIA) website to ensure their licenses are current. Written records of these checks shall be maintained, signed and dated by the person completing the checks. If the same people are used, these checks should be carried out monthly. The records shall be kept for 12 months and made available to Police or the local authority on request.

4) Appropriate smoking area at the premises advised. A record shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police upon request. This also should include the following;

- a) At least six prominent, clear and legible notices shall be displayed throughout the premises, including all toilets warning customers that smoking within premises will not be tolerated.
- b) Signs shall be prominently displayed on the exit doors advising customers that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.

The applicant has requested a 01:00am finish, Sunday to Monday with the sale of alcohol being until 2330, Sunday to Thursday and a Friday and Saturday being 0030hours. Late night refreshments have also been requested Sunday to Saturday 2300-0100hrs. As the applicant has not previously held a licence nor has an

extensive history of being a premises license holder, and the venue is known to police to have operated licensable activity without a licence, this has resulted in a lack of confidence in the applicant's ability to manage such a late licence.

Recent dates to this application complaints have been made in regards to this premises.

On 21/09/2021 the following complaint was made;

We have received a noise complaint regarding a bar/restaurant. The informant stated that there are parties into the early hours of the morning every weekend. This is causing a lot of stress for them and their children. They also state that during the week the building alarms are also triggered due to staff smoking from the kitchen restaurant.

On 18th September 2021 the venue was visited where the following was found;

22:52 hours, observed a lot of people inside dancing to loud music, being served alcohol and consuming alcohol in the premises, Ricon De Yirda, 487 Seven Sisters Road N15.

The name of the owner is Yirda Turbi Rosario. The owner did not have premises capacity to hand and she didn't know the number of people in the Parmenides. There was no door supervisor on site also. They were playing Columbian music and they had people standing and dancing.

There was no TEN application for the above date and alcohol was being served without holding a license.

We are instead requesting the following times, with last entry time of 00:00 hours Fri- Sat.

Activity	Proposed Time	Recommended Times
Opening hours	10:00 – 01:00 Everyday	10:00 – 23:00 Sun – Thurs 10:00 – 01:00 Fri – Sat
Supply of alcohol (on)	11:00 – 23:30 – Sun – Thurs 11:00 – 00:30 – Fri - Sat	11:00 – 22:30 Sun – Thurs 11:00 – 00:30 Fri - Sat
Late Night Refreshment	23:00 – 01:00 Everyday	22:00 – 23:00 Sun – Thurs 23:00 – 01:00 Fri – Sat

If these conditions and amended times were accepted in full, I would withdraw my representation. I reserve the right to provide further information to support this representation.

Officer: PC Jade Haynes 3719NA
Licensing Officer Haringey Police
Date: 29th September 2021