

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Thursday, 14th September, 2023, 7.00 pm - Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Anna Abela, Blake and one other member to be named.

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

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 dealt with under item 7 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

The Sub-Committee will first hear from the Licensing Officer. After that, the applicant will present their application and the Sub-Committee and objectors will have the opportunity to ask questions. Then, the objectors will present their case and the Sub-Committee and objectors will have the opportunity to ask questions.

All parties will then have the opportunity to sum up, and then the meeting will conclude to allow the Sub-Committee to deliberate and reach a decision. This decision will then be provided in writing within five working days of this meeting.

6. APPLICATION FOR A NEW PREMISES LICENCE AT TASTY AFRICAN FOOD, 22 LORDSHIP LANE, TOTTENHAM, LONDON, N17 8NS (WEST GREEN) (PAGES 1 - 18)

To consider an application for a new premises licence.

7. APPLICATION FOR A VARIATION OF A PREMISES LICENCE AT OUSIA 162 FORTIS GREEN ROAD, HORNSEY, LONDON, N10 3DU.(MUSWELL HILL) (PAGES 19 - 60)

To consider an application for a new premises licence.

8. NEW ITEMS OF URGENT BUSINESS

To consider any items of urgent business as identified at item 3.

Nazyer Choudhury, Principal Committee Co-ordinator
Tel – 020 8489 3321
Fax – 020 8881 5218
Email: nazyer.choudhury@haringey.gov.uk

Fiona Alderman
Head of Legal & Governance (Monitoring Officer)

George Meehan House, 294 High Road, Wood Green, N22 8JZ

Wednesday, 06 September 2023

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Report for: Licensing Sub Committee 14th September 2023

Item number: 6

Title: Application for a New Premises Licence – Tasty African Food, 22 Lordship Lane, Tottenham, London N17 8NS

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

Ward(s) affected: West Green

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 Daik Ltd, with Mr Dolapo Alao as the named director and the prospective DPS for the business.

1.2 The application seeks the following:

Regulated Entertainment: Recorded Music

Monday to Sunday 1100 to 2300 hours

Sale of Alcohol

Monday to Sunday 1100 to 2300 hours

Supply of alcohol **ON** and **OFF** the premises.

Hours open to Public

Monday to Sunday 1100 to 2300 hours

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

1.4 Representations have been received from:

There is one representation from a ward councillor acting on behalf of residents. App B.

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 is situated along Lordship Lane and is one of three retail units with residential above and facing the premises. There has been a restaurant at this location for many years. The previous restaurant was not licensed to sell alcohol.

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, this 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 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.
- 3.5 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.
- 3.6 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
- 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 In cases 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 Councils Licensing policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

4 Licensing hours

- 4.2 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

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".

6.1 Human Rights

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

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

7 Use of Appendices

Appendix A - New Application.

Appendix B – Other parties reps against the application.

Background papers: Section 82 Guidance

Haringey Statement of Licensing policy

Appendix A

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Start

Are you an agent acting on behalf of the applicant?: No

Applicant: Applicant details

Full name: Dolapo Alao

Email: [REDACTED]

Phone/mobile: [REDACTED]

Which legal structure are you applying as: A business or organisation including as a sole trader

Is your business registered in the UK: Yes

Is your business registered outside the UK:

Commercial register:

Registration number: 12921155

Business name: Daik Limited

Are you VAT registered?: No

VAT number:

Legal status: Private Limited Company

What is your position in the business?: Manager

Home country: United Kingdom

Address: 22, Lordship Lane, Tottenham, Haringey, London, N17 8NS

Premises details

Premises or Trading name: Tasty African Food

Please provide a postcode, OS Map Reference or description Address

Premises OS Map reference:

Address Description:

Full address of the premises: 22, Lordship Lane, Tottenham, Haringey, London, N17 8NS

Premises phone number: [REDACTED]

Plan of the premises: sandbox-files://64b6416d1a6aa963968020

Do you have a rateable value based on VOA?: Yes

What is the non-domestic rateable value band?: B (£4,301-£33,000)

Are you applying to only sell alcohol?:

NDR Fee to Pay: £190

Applicant 2: Application details

In what capacity are you applying for the premises licence?: Limited company / limited liability partnership

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

Non-individual applicant details

Full name: Daik Limited

Do you have a registration number?: Yes

Please enter your registration number: 12921155

Description of applicant: Private Limited Liability Company

Address: 22, Lordship Lane, Tottenham, Haringey, London, N17 8NS

Phone number: [REDACTED]

Email address: [REDACTED]

Date of birth: [REDACTED]

Nationality: British

Operating Schedule

When do you want the premises licence to start?: 01/09/2023

When do you want the premises licence to end?:

Please give a general description of the premises: Restaurant / Take away / Café.

The premises include the entire shop space on the ground floor of 22 Lordship Lane London N17 8NS.

Do you expect more than 5,000 or more people to attend the premises at any one time? No

How many people do you expect to attend the premises at any one time?:

Additional fee to be paid for over 5,000 capacity: £

Regulated entertainment

This section covers regulated entertainment

Provision of plays

Will you be providing plays?: No

Provision of films

Will you be providing films?: No

Provision of indoor sporting events

Will you be providing indoor sporting events?: No

Provision of boxing or wrestling entertainments

Will you be providing boxing or wrestling entertainments?: No

Provision of live music

Will you be providing live music?: No

Provision of recorded music

Will you be providing recorded music?: Yes

Which days of the week do you intent the premises to be used for the activity?Monday,
Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday

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.:

Monday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Tuesday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Wednesday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Thursday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Friday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Saturday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Sunday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:

- End 2:

Will the playing of recorded music take place indoors or outdoors or both? Indoors

State type of activity to be authorised, if not already stated, and give relevant further details.: Playing of recorded amplified music indoors

State any seasonal variations for playing of recorded music:None

Non standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below: None

Provision of performance of dance

Will you be providing performance of dance?: No

Provision of anything of a similar description to live music, recorded music or performances of dance

Will you be providing anything similar to live music, recorded music or performances of dance?: No

Late night refreshment

Will you be providing late night refreshment?: No

Supply of alcohol

Will you be selling or supplying alcohol?: Yes

Which days of the week do you intent the premises to be used for the activity?Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday

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.:

Monday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Tuesday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Wednesday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:

- End 2:

Thursday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Friday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Saturday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Sunday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Will the sale of alcohol be for consumption? Both

State any seasonal variations: None

Non standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below: None

Designated premises supervisor consent

Are you (as the applicant), the designated premises supervisor: Yes

How will the consent form of the proposed designated premises supervisor be supplied to the authority?:

Please upload the completed consent form for the designated premises supervisor

Do you know the reference number for the consent form

Please enter the reference number for the consent form: N/A

Name of designated supervisor: Dolapo Alao

Address of designated supervisor: [REDACTED]
[REDACTED]

Date of birth of designated supervisor: [REDACTED]

Enter the personal licence number: [REDACTED]

Issuing licensing authority: London Borough of Barnet

Adult entertainment

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

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: None

Hours premises are open to the public

Which days of the week do you intent the premises to be used for the activity? Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday

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.:

Monday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
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- End 2:

Friday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

Saturday:

- Start 1: 11:00
- End 1: 23:00

- Start 2:
- End 2:

Sunday:

- Start 1: 11:00
- End 1: 23:00
- Start 2:
- End 2:

State any seasonal variations: None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below: None

Licensing objectives

- a) **General – all four licensing objectives (b,c,d,e):** All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with training records kept for inspection. The premises will close 30 minutes after the licensing activities have ceased to allow customers to finish their drinks and leave in a quiet and orderly manner.
- b) **The prevention of crime and disorder:** The premises will use CCTV to an appropriate standard. The CCTV equipment shall be maintained in good working order and continually record when licensable activity take place. The premises licence holder shall ensure images from the CCTV are retained for a period of 30 days. The correct date and time will be generated onto both the recording and the real time image screen. If the CCTV equipment (including any mobile units in use at the premises) breaks down, the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence, other responsible person, informs the Licensing Authority as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the date, time, means of reporting and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as it is reasonably practicable and without undue delay. The Licensing Authority shall be informed when faults are rectified. The Premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable. There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours. The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises. An incident record will be kept in a bound book, as will all refusals for the sale of alcohol. These books will be made available to the police and officer from the council on request.
- c) **Public safety:** Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premises of this size, and the business has been fully fire risk assessed. An on-site incident book will be in operation to record any accident or injury incurred on the premises. This document will be retained for inspection by the business for a period of three years.
- d) **The prevention of public nuisance:** Customers will be reminded of their responsibility to leave the premises without causing disturbance to any properties who may be affected.
- e) **The protection of children from harm:** Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification, then no

sale is made. No ID no sale. Challenge 25 POS will be on display in the shop. Any staff member who may be under the age of 18 must call a staff member over 18 to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors, then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request. All children on the premises for alcohol sale will be supervised or accompanied by an adult.

Declaration

I/we understand 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.

[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, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration yes I agree

Declaration

Full name: Dolapo Alao

Capacity: Manager

Date: 2023-07-18

Payment summary

Amount: £190.00

Payment status: successful

Receipt number: [REDACTED]

Appendix B

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From: Cllr Ibrahim Ali <

Sent: Wednesday, August 16, 2023 7:29 AM

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: Object against the application for Tasty African Food on 22 Lordship Lane N17 8NS

Dear Officers,

I have been asked by a resident to lodge an objection on their behalf.

Their concerns are as follows:-

- there are several businesses in Lordship Lane (Salon Bercy at 27, Phoenix Nails at 38, Guinness's at 40, Chez Mima at 44 Lordship Lane) that already cause significant disturbance and ASB in the neighbourhood; they are a range of businesses (barber, nail studio, take away food, convenience store) but what they all have in common that people gather outside the businesses on the pavement, drinking alcohol, causing obstruction and nuisance by being noise, dumping rubbish, urinating, etc. another business will add to this existing disturbance, Moreso if they are allowed officially to sell alcohol **on and off** the premises for extended hours (11am to 11pm); we fear that this will have a detrimental impact on public safety and will cause public nuisance.

- whilst the council is aware of some/ all of these disturbances and has tried (more or less) to do something about it, i.e. putting up signs under the ASB Crime and Policing Act 2014 that forbid the gathering of more than two people, drinking and urinating along Lordship Lane, the council and other authorities have so far been unable to successfully enforce this; therefore the behaviour consists and the license being granted to yet another business is likely to exacerbate the existing problem of public nuisance.

- we have seen that the vast majority of visitors to the aforementioned businesses come and leave by car, despite consuming alcohol; if the business is granted a license to sell alcohol, we fear that this will generate even more visitors arriving by car and drinking alcohol therefore causing a real risk of public disorder and crime that can potentially have life-changing or fatal consequences, also for innocent residents on by-passers.

If this is to be made public. I would like to be noted this objection was made on behalf of residents.

Many thanks.

Best,

Councillor Ibrahim Ali

Labour Member for Bruce Castle

Chair of Standards Committee

A – Haringey Council | River Park House | 225 High Rd | Wood Green, London | N22 8HQ

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Report for: Licensing Sub Committee 14th September 2023

Item number: 7

Title: Application for a variation of a Premises Licence – Ousia 162 Fortis Green Road, Hornsey, London, N10 3DU.

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

Ward(s) affected: Muswell Hill

Report for Key/ Non Key Decision: Not applicable

1. Describe the issue under consideration

1.1 This report relates to an application for a variation of an existing premises licence by Yiannis Yianni as the named director of Ousia Holdings and the DPS for the business.

1.2 The application seeks the following:

Sale of Alcohol

Monday to Saturday	1200 to 2230 hours
Sunday	1200 to 2130 hours

Supply of alcohol **ON** the premises.

Hours open to Public

Monday to Saturday	1200 to 2245 hours
Sunday	1200 to 2145 hours

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

1.4 Representations have been received from:

**There is one representation from the Noise RA.
App B.**

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 is situated along a terrace of retail units with residential above and facing the premises. The premises was initially licensed in February 2022 -App A1.

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

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- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

7 Use of Appendices

Appendix A - New Application.

Appendix B – Noise RA representation.

Background papers: Section 82 Guidance
Haringey Statement of Licensing policy

Appendix A

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Haringey
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@haringey.gov.uk
 Telephone: 020 8489 8232

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Yiannis

* Family name

Yianni

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

13275845

Business name

Ousia Holdings

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...Your position in the business Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 18****APPLICATION DETAILS**

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description
Postal Address Of PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Premises Contact Details**Telephone number

*Continued from previous page...*Non-domestic rateable
value of premises (£)

33,250

Section 3 of 18**VARIATION**Do you want the proposed
variation to have effect as
soon as possible?☒

Yes

☐

No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?☐

Yes

☒

No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

This is a restaurant premises that has now established itself as a reputable local hospitality business among local residents and those attracted to the area from neighboring towns. Now that the business is becoming successful and we have approached the summer months with longer days diners would like the option to dine slightly later than the initial opening hours and so we wish to extend slightly our licensable activity hours.

Section 4 of 18**PROVISION OF PLAYS**[See guidance on regulated entertainment](#)Will the schedule to provide plays be subject to change if this application to
vary is successful?☐

Yes

☒

No

Section 5 of 18**PROVISION OF FILMS**[See guidance on regulated entertainment](#)Will the schedule to provide films be subject to change if this application to
vary is successful?☐

Yes

☒

No

Section 6 of 18**PROVISION OF INDOOR SPORTING EVENTS**

Continued from previous page...[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 7 of 18**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 8 of 18**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 9 of 18**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 10 of 18**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 11 of 18**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 12 of 18**PROVISION OF LATE NIGHT REFRESHMENT**

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 13 of 18**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings**MONDAY**Start End Start End

Provide 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.

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End

Continued from previous page...

Will the sale of alcohol be for consumption?

☒ On the premises ☐ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas and New Year festivities may require longer operating hours and therefore non-standard timings.

Section 14 of 18**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

Section 15 of 18**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

☒ I have enclosed the premises licence

Continued from previous page...

- ☒ I have enclosed the relevant part of the premises licence

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

- Well trained staff will aid in promoting all four licensing objectives. Formal qualifications and training for staff, all staff advised on licensing law in writing
- Adequate security in place on the premises. This includes alarms, CCTV and fire exits in place in the event of a fire or evacuation emergency
- A zero tolerance policy to the use of drugs and weapons. Can be implemented by conducting effective search policies, display posters in the premises communicating this
- Ensure adequate staff and security is in place for promoted events that may attract larger than usual crowds. Including proper management of the door with adequate door supervisors.
- Prevention of theft from customers can be promoted with having adequate storage for items. This includes cloakrooms, bag hooks. Adequate lighting and mirrors. Property patrols

b) The prevention of crime and disorder

- Reduce the potential for excessive queue lines with a well managed and efficient door policy
- Sufficient staff in place
- Adequate security in place, CCTV
- Display information to customers for safe options to getting home

c) Public safety

- A full risk assessment taking into account public safety should be carried out at the premises to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards
- All staff to be made aware of the risk assessment and precautionary measures
- First aid boxes to be made available on the premises with sufficient stock
- Recognised qualification in first aid to be held by at least one member of staff
- Other staff trained to a basic first aid standard
- Adequate security in place, CCTV
- Written policy to deal with all types of accidents & emergency incidents

d) The prevention of public nuisance

- Drinks promotions should be socially responsible
- Written policy to deal with all types of accidents & emergency incidents
- Display information to customers for safe options to getting home
- A noise management policy should be in place that sends out sound attenuation to prevent or control noise breakout from the premises
- Reduce the potential for excessive queue lines with a well managed door policy
- Customer dispersal policy in place

Continued from previous page...

- Display signs telling customers to keep noise to a minimum when outside and exiting the premises

e) The protection of children from harm

- Operate a strict No ID – No sale policy
- A documented policy setting out measures to protect children from harm should be in place at the premises
- Restrict access to children depending on the nature of the business
- Document any refusals
- Staff training in the age-related sections of the Licensing Act

Section 17 of 18**NOTES ON REGULATED ENTERTAINMENT**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

The following credit or debit cards are accepted in Haringey:

Maestro - Mastercard Debit - Mastercard Credit - Solo - Visa Credit - Visa Debit (formerly Delta) and Visa Electron

We cannot accept liability if payment is refused or declined by the card supplier.

Due to end of day processing, this service will not be available between 10pm and 11pm every weekday evening (Mon- Fri).

Continued from previous page...

Users should note that any payments in process after the 10pm deadline need to be completed by 10.05pm

* Fee amount (£)

315.00

ATTACHMENTS**AUTHORITY POSTAL ADDRESS****Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

* I/we understand 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.

☐

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

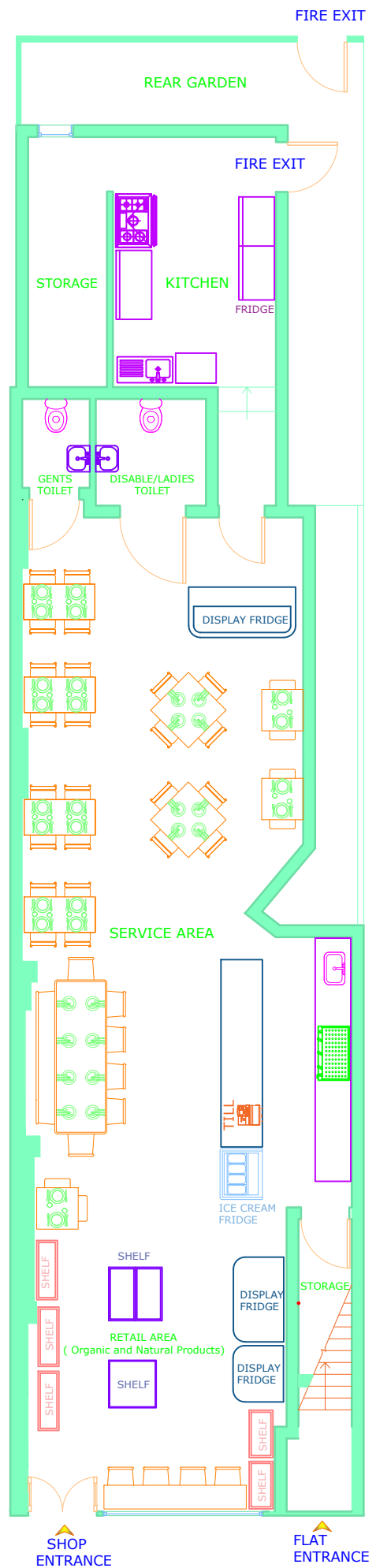
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/haringey/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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.

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EXISTING/PROPOSED GROUND FLOOR PLAN

162 Fortis Green Rd, Muswell Hill, London N10 3DU		ADA GROUP 103 Stoke Newington High Street, London, N16 0PH info@adagroup.org.uk 0207 193 8393
GROUND FLOOR PLAN		
SCALE : 1/100@A3		



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PREMISES LICENCE

Receipt: SMYAC00237414

Premises Licence Number: LN/000025777

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
4th Floor Alexandra House, 10 Station Road,
Wood Green, London N22 7TR**

Signature:

Date: 24th February 2022**Part 1 – PREMISES DETAILS****Postal Address of Premises or, if none, Ordnance Survey map reference or description:**

**OUSIA
162 FORTIS GREEN ROAD
MUSWELL HILL
LONDON
N10 3DU**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol

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

Supply of Alcohol

Monday to Saturday 1200 to 2230

Sunday 1200 to 2130

The opening hours of the premises:

Monday to Saturday 1200 to 2245

Sunday 1200 to 2200

Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:Supply of alcohol for consumption **ON** the premises.

Part 2

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

Ousia Holdings Ltd

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

[REDACTED]

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

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

[REDACTED]

Issued by:

London Borough of Barnet

Annex 1 –Mandatory Conditions

Supply of alcohol

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 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 licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(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 must 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;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

Annex 1 –Mandatory Conditions

(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.

7. Prohibition on Sale of Alcohol below Cost of Duty plus VAT

(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^{ll} is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) —permitted price^{ll} is the price found by applying the formula —

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

Where —

(i) P is the permitted price,

(ii) D is the rate 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^{ll} 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;

(d) —relevant person^{ll} 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) —valued added tax^{ll} 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 this 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) (a) Sub-paragraph (b) below applies where the permitted price given by Paragraph (b) of paragraph (2) on a day (—the first day^{ll}) would be different from the permitted price on the next day (—the second day^{ll}) as a result of a change to the rate of duty or value added tax.

(b) 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.

Exhibition of films.

1. Admission of children to the exhibition of any film is to be restricted in accordance with the recommendations made by the specified film classification body.

2. Where —

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Annex 1 –Mandatory Conditions

3. In this section –

—childrenll means persons aged under 18; and —film classification bodyll means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Door supervision.

1. Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

Annex 2 – Conditions consistent with the Operating Schedule

The licensee will ensure the following:

- Formal qualifications and training for staff
- all staff advised on licensing law in writing
- Adequate security in place on the premises to include alarms, CCTV and fire exits in place
- In the event of a fire or evacuation emergency
- A zero-tolerance policy to the use of drugs and weapons will be implemented by conducting
- effective search policies, display posters in the premises communicating this
- Ensure adequate staff and security is in place for promoted events that may attract larger than usual crowds
- Including proper management of the door with adequate door supervisors
- Prevention of theft from customers will be promoted with having adequate storage for items which includes a cloakroom, bag hooks, adequate lighting, mirrors and property patrols

THE PREVENTION OF CRIME AND DISORDER

A CCTV system will be installed and maintained.

Sufficient staff will be employed.

Adequate security will be in place.

PUBLIC SAFETY

A full risk assessment which includes public safety will be carried out at the premises to identify potential hazards posed to staff, customers and setting out precautions to manage hazards. All staff to be made aware of the risk assessment and precautionary measures.

First aid boxes will be made available on the premises with sufficient stock.

Recognized qualification in first aid will be held by at least one member of staff. Other staff will be trained to a basic first aid as standard.

A written policy to deal with all types of accidents & emergency incidents will be in place.

THE PREVENTION OF PUBLIC NUISANCE

Information will be displayed for customers offering safe options getting home.

A noise management policy will be in place that sends out sound attenuation to prevent or control noise breakout from the premises.

To reduce the potential for excessive queue lines a well-managed and efficient door policy will be in place.

A Customer dispersal policy will be in place.

Signs will be displayed requesting customers to keep noise to a minimum when outside and exiting the premises.

THE PROTECTION OF CHILDREN

A strict 'NO ID – NO SALE' policy will be adhered to.

Annex 2 – Conditions consistent with the Operating Schedule

A documented policy setting out measures to protect children from harm will be in place at the premises.

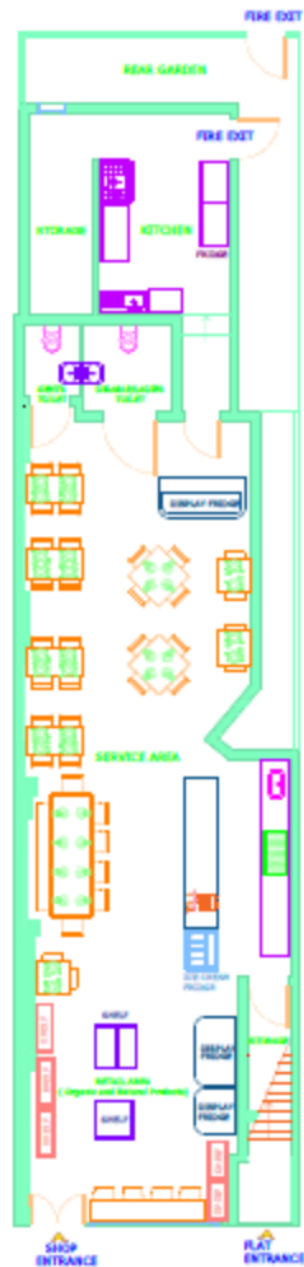
All refusals will be recorded.

All staff will be trained in the age-related sections of the Licensing Act 2003.

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

Not applicable.

Annex 4 – Plans



EXISTING/PROPOSED GROUND FLOOR PLAN

162 Fortis Green Rd, Muswell Hill, London N10 3DU		ADA GROUP 103 Stoke Newington High Street, London, N16 0PH Info@adagroup.org.uk 0207 193 8393	 ADAGROUP
GROUND FLOOR PLAN			
SCALE : 1/100@A3			

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Appendix B

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From: Jennifer Barrett

Sent: Wednesday, August 2, 2023 2:29 PM

To: >

Cc: Licensing <Licensing.Licensing@haringey.gov.uk>; Festus Akinboyewa

<Festus.Akinboyewa@haringey.gov.uk>

Subject: RE: NOISE & NUISANCE REPRESENTATION- Premises Licence Variation Application- Ousia, 162 Fortis Green Road, Hornsey, London, N10 3DU. (WK/570812)

Dear John Yianni

I have noted your comments below and the subsequent responses from the Licensing Team. I have also made additional checks of our records to confirm the status of the pavement outside your premises and provide the below: .

1. Recommended condition: No alcohol shall be consumed on the public highway outside the premises.

You said: We are entitled to seat customers for dining immediately outside the premises and we are also entitled to open the bifold windows so that there is overlap between the internal and external parts of the premises to seat diners. This entitlement exists under our current premises licence and so there is no discernible, regulatory or legal reason for such a condition, which will illogically serve to remove an existing entitlement under the existing Premises Licence.

Our response: As the Responsible Authority we will be recommending this condition is included in any licence granted.

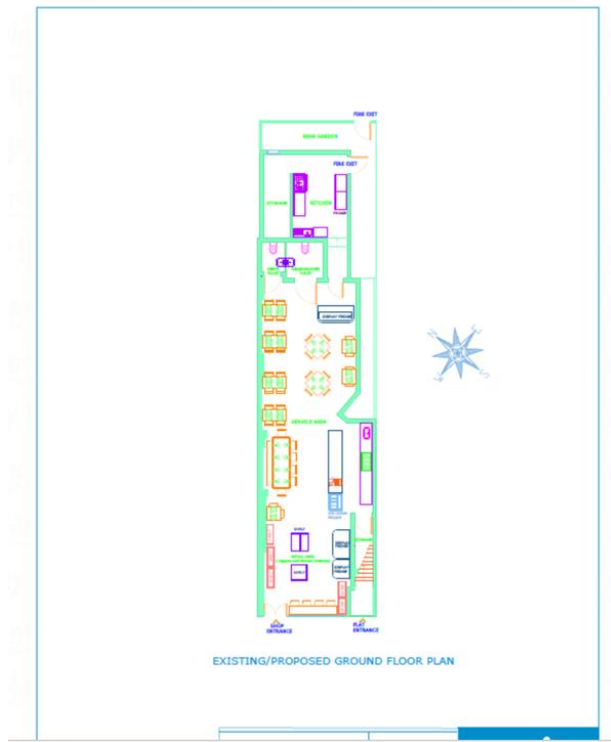
I have checked your current licence, specifically the plan of the area where you can conduct licensable activities and included this below for ease of reference. The plan does not include your outdoor area as part of the licensable area. In addition, our records indicate that the area outside your premises is Council maintained.

Licensed premises which offer Alcohol on sales have benefited from an easement (relaxation) of the rules for the last couple of years which automatically grants off sales without the need to formally vary the premises licence. This ends 30th September 2023 unless the government agree a further extension.

This means:

1. unless you can evidence that this area is within your demise you will need a Pavement Licence to serve food and/ or alcohol here. You must remove any tables or chairs currently put outside for this purpose until you have a licence.
2. you cannot put tables and chairs out at any time and for the benefit of your customers without permission from the council. Those who do so are subject to fines for unlawful street trading.

Annex 4 – Plans



2. Recommended Condition: Music and sound from the premises shall not be audible at, or within the site boundary of the nearest residential premises at any time.

You said: There is already a condition to implement a noise management policy that would attempt to “prevent or control noise breakout from the premises” There is no discernible, regulatory or legal reason for a further condition simply because of a slight variation in the operating hours.

Our response: We will consider removing this condition from our representation if you are able to provide a copy of your current noise management policy, or otherwise demonstrate this is a duplication.

The condition on your current licence reads “A noise management policy will be in place that sends out sound attenuation to prevent or control noise breakout from the premises”. If you can provide a copy of your current noise policy, we can confirm if the above is a duplication.

3. CCTV must be installed and maintained. Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD so that Police can make an evidential copy of the data they require. Copies must be made available to an Authorised Officer or Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business, the Police and the Council must be informed. There is already a condition in the existing premises licence dealing with CCTV and there is no discernible, regulatory or legal reason for a further

condition in these terms simply because of a slight variation in the operating hours. It is not practical or commercially economical or affordable to always have a member of staff on duty who can operate the system.

Our response: we will be recommending this condition is included in any licence granted.

The condition above is an enhancement of the condition in your current licence which specifies how CCTV footage should be treated and who it should be provided to in the event of incidents. We acknowledge your comments about this being impractical to always have a member of staff who can operate the system but do not expect this to be significantly burdensome or materially change what you currently do since there is already a CCTV condition on your current licence.

4. Smoking outside the front of the shop shall be limited to four (4) people at a time so as to minimise disturbance to residents and other members of the public. Suitable ashtrays/bins must be provided and the area must regularly be swept to remove cigarette ends. *There is no discernible, regulatory or legal reason for such a condition simply because of a slight variation in the operating hours. Under the current licence all restaurant guests can smoke outside without limit to numbers. We cannot control or restrict the number of guests that decide to leave the premises at any given time. It is neither ethically nor commercially viable to do so. We would need to engage security to enforce any purported limit to the amount of people who leave the restaurant for smoking at any given time and this would come at a financial cost together with a reputational cost in terms of the concept image of what is a family run local restaurant with very conservative, friendly mature diners. We cannot afford nor are we prepared to take action that would ultimately ruin the image and reputation of this friendly restaurant. This said, we have a general duty under both common law and statutory legislation to ensure that the business does not commit or allow to be committed a public nuisance. This includes ensuring the guests do not create unreasonable noise or litter and to ensure we clear any waste deriving from the premises from the public highways. This common law and statutory duty is sufficient without the requirement of oppressively stipulated conditions within the premises license.*

Our response: we will be recommending this condition is included in any licence granted.

A core function of the role of the DPS is to control and manage the behaviour of your patrons. In addition, your licence also contains a condition requiring "proper management of the door with adequate door supervisors" and this would be a simple check to include in their duties. We have specified a number to limit the potential for disturbance of residents, particularly those situated adjacent to your premises. We do not consider this condition to be onerous nor should it require you to commission security personnel to manage it.

5. A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers. *There is no discernible, regulatory or legal reason for such a condition simply because of a slight variation in the operating hours. It seems to us that this proposed condition together with the above proposed conditions arise because of one harassing couple who live on the second floor of the premises and who have*

unlawfully caused knowingly false and fabricated complaints to be made to the Noise and Nuisance team in an attempt to place pressure on the business and freeholder for their own personal gain. There has never been any finding of a noise disturbance despite visits from the noise and nuisance team and all investigations have proven to the contrary and that these individuals are intent on causing harassment for their own personal gain. Therefore, all proposed new conditions that do not feature within the current licence that appear to be solely proposed in order to satisfy an ulterior purpose shall be appealed.

Our response: *we will be recommending this condition is included in any licence granted.*

Compliance with this condition demonstrates that remedial action (where appropriate) is taken in response to complaints made directly to you about issues relating to the operation of your premises.

You can contact me on 07989 223 970 if you wish to discuss the above. I called you yesterday and left a message. I will try contact you by phone today to discuss the above.

Yours sincerely

Jennifer Barrett

Noise and Nuisance Manager

jennifer.barrett@haringey.gov.uk

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From: Daliah Barrett <Daliah.Barrett@haringey.gov.uk> **On Behalf Of** Licensing

Sent: 18 July 2023 18:17

To: John Yianni <y8nno@hotmail.co.uk>; Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: RE: NOISE & NUISANCE REPRESENTATION- Premises Licence Variation Application- Ousia, 162 Fortis Green Road, Hornsey, London, N10 3DU. (WK/570812)

Dear Mr Yianni,

The law requires that when a licence holder wishes to make changes to an existing licence there is a process for this to be done. There are statutory consultees set out in the Act. There is a consultation period. There is a criterion for the consideration for what is being requested. That is the process in play here. The RA has responded with matters that they feel address one or more of the licensing objectives.

Equally, it is your right to submit the application and say that you feel the existing conditions are adequate to address the objectives should the variation be successful. It is therefore within the gift of the RA to think differently and propose conditions as they think appropriate.

I shall leave the Noise RA to address any matters with you and will arrange a Licensing Sub Committee if the matters below cannot be resolved beforehand.

Regarding the Pavement Licence please note there is a fee of £100 and that they do expire on 30th September 2023. The Government is extending the legislation for another year but all licenses will have to be applied for anew.

Regards
Daliah Barrett
Licensing Team Leader

From: John Yianni <y8nno@hotmail.co.uk>
Sent: Tuesday, July 18, 2023 5:52 PM
To: Licensing <Licensing.Licensing@haringey.gov.uk>
Subject: RE: NOISE & NUISANCE REPRESENTATION- Premises Licence Variation Application- Ousia, 162 Fortis Green Road, Hornsey, London, N10 3DU. (WK/570812)

Dear Ms Barrett

I understand the Act and the objectives very well.

The point to be made is that there is no plausible reason for what has been *“put forward”* in order to *“uphold and promote the said four licensing objectives”* in the context of this Variation Application. If there were reasonable grounds for what has been *“put forward”* then these would have been put forward during consultation of the initial full application. To illustrate the point best, we could withdraw this Variation Application and still continue to sell alcohol under the current licence without any of the proposed conditions.

To clarify, our entitlement to seat diners outside the premises is subject to what is included within the demised areas of our lease and/or a Pavement Licence where no such area is demised under the lease. We do not deny this, but your remark misses the fundamental point that any licensed premises is entitled to serve alcohol on their private forecourt under a premises licence or on the public highway following a successful Pavement Licence. Therefore, it would be illogical and in breach of those rights to impose a conflicting condition.

For completeness, we also understand what “ON” sales mean and how that is defined and enforced.

Kind regards

From: Daliah Barrett <Daliah.Barrett@haringey.gov.uk> **On Behalf Of** Licensing
Sent: Tuesday, July 18, 2023 5:28 PM
To: John Yianni <y8nno@hotmail.co.uk>
Subject: RE: NOISE & NUISANCE REPRESENTATION- Premises Licence Variation Application- Ousia, 162 Fortis Green Road, Hornsey, London, N10 3DU. (WK/570812)

Dear Mr Yianni,

Thank you for the email.

I am sure the Noise EHO Responsible Authority as authorised under the legislation will respond to you on the specific matters below.

In terms of the Licensing Act 2003, the requirement is that the Responsible Authorities consider what is being requested through the lens of the four licensing objectives. They are empowered by the Act to put forward what they feel is appropriate to ensure that you the licence holder will be able to uphold and promote the said four licensing objectives.

If the Noise RA is not in agreement with your remarks, they do not need to accept them and the matter will then be taken to the Licensing Sub Committee for determination.

I note you state that you have the right to put diners outside the premises. Is there a private forecourt immediately outside of 162 Fortis Green Road? If there is no private forecourt and the pavement there is public pavement then you have no automatic right to place anything in this area. Happy for you to provide a lease plan of the curtilage of the restaurant if required.

If you wish to place furniture on the public pavement for your customers to dine, please submit a Pavement licence application for consideration. We have an online form <https://www.haringey.gov.uk/business/council-services-business/licensing/z-licences/pavement-licence#apply>

Your alcohol permission also currently only allows for ON sales. Which means that alcohol can be brought and consumed onsite only. If a customer dines outside of your premises, they will need to pay for their alcohol within the premises as you are technically not covered for alcohol sales outside of the restaurant unit.

Communication is key to this process, and we are here to assist you should you wish to discuss any matters with us.

Kind regards
Daliah Barrett
Licensing Team Leader



4th Floor, 10 Station Road, London N22 7TR

T. 020 8489 8232

M: 07973244126

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Please consider the environment before printing this email.

From: John Yianni <y8nno@hotmail.co.uk>

Sent: Tuesday, July 18, 2023 4:22 PM

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Cc: Festus Akinboyewa <Festus.Akinboyewa@haringey.gov.uk>; Jennifer Barrett <Jennifer.Barrett@Haringey.gov.uk>

Subject: RE: NOISE & NUISANCE REPRESENTATION- Premises Licence Variation Application- Ousia, 162 Fortis Green Road, Hornsey, London, N10 3DU. (WK/570812)

Dear Sirs

Further to your email below where you ask for us to “advise your [our] course of action”, please specify with better precision what it is that you are specifically requesting and what the “course of action” referred to is intended to address?

In terms of the comments from the Noise and Nuisance team please see our comments in red next to each of the points made.

From: Licensing <Licensing.Licensing@haringey.gov.uk>

Sent: Tuesday, July 11, 2023 4:50 PM

To: y8nno@hotmail.co.uk

Subject: NOISE & NUISANCE REPRESENTATION- Premises Licence Variation Application- Ousia, 162 Fortis Green Road, Hornsey, London, N10 3DU. (WK/570812)

Importance: High

Dear Sir/Madam,

Please find below a representation from the Noise and Nuisance Team.

Please advise your course of action.

Please send any correspondence to licensing@haringey.gov.uk. If it is sent to me directly there may be a delay in obtaining a response.

Kind Regards

Chanel Roye

Licensing Administrator



4th Floor, 10 Station Road, London N22 7TR

T. 020 8489 8232

If you need to report something please log it here: [Report It](#) or use our Online Service: [Contact Frontline](#) Why wait when you can [do it online?](#)

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Please consider the environment before printing this email.

From: Festus Akinboyewa <Festus.Akinboyewa@haringey.gov.uk>

Sent: Monday, July 10, 2023 10:17 AM

To: Licensing <Licensing.Licensing@haringey.gov.uk>; Jennifer Barrett <Jennifer.Barrett@Haringey.gov.uk>

Subject: RE: Premises Licence Variation Application- Ousia, 162 Fortis Green Road, Hornsey, London, N10 3DU. (WK/570812)

Dear Licensing,

I would like to confirm that I have considered the above proposal with regard to the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

While the premises will not be offering regulated entertainment with regards to live music after 2300 hours, which should limit complaints about noise, we recommend the following conditions are included in any licence granted to ensure that adequate controls are in place to uphold the licensing objectives.

6. No alcohol shall be consumed on the public highway outside the premises. We are entitled to seat customers for dining immediately outside the premises and we are also entitled to open the bifold windows so that there is overlap between the internal and external parts of the premises to seat diners. This entitlement exists under our current premises licence and so there is no discernible, regulatory or legal reason for such a condition, which will illogically serve to remove an existing entitlement under the existing Premises Licence.
7. Music and sound from the premises shall not be audible at, or within the site boundary of the nearest residential premises at any time. There is already a condition to implement a noise management policy that would attempt to "prevent or control noise breakout from the premises" There is no discernible, regulatory or legal reason for a further condition simply because of a slight variation in the operating hours.
8. CCTV must be installed and maintained. Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD so that Police can make an evidential copy of the data they require. Copies must be made available to an Authorised Officer or Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business, the Police and the Council must be informed. There is already a condition in the existing premises licence dealing with CCTV and there is no discernible, regulatory or legal reason for a further condition in these terms simply because of a slight variation in the operating hours. It is not practical or commercially economical or affordable to always have a member of staff on duty who can operate the system.
9. Smoking outside the front of the shop shall be limited to four (4) people at a time so as to minimise disturbance to residents and other members of the public. Suitable ashtrays/bins must be provided and the area must regularly be swept to remove cigarette ends. There is no discernible, regulatory or legal reason for such a condition simply because of a slight variation in the operating hours. Under the current licence all restaurant guests can smoke outside without limit to numbers. We cannot control or restrict the number of guests that decide to leave the premises at any given time. It is neither ethically nor commercially viable to do so. We would need to engage security to enforce any purported limit to the amount of people who leave the restaurant for smoking at any given time and this would come at a financial cost together with a reputational cost in terms of the concept image of what is a family run local restaurant with very conservative, friendly mature diners. We cannot afford nor are we prepared to take action that would ultimately ruin the image and reputation of this friendly restaurant. This said, we have a general duty under both common law and statutory legislation to ensure that the business does not commit or allow to be committed a public nuisance. This includes ensuring the guests do not create unreasonable noise or litter and to ensure we clear any waste deriving from the premises from the public highways. This common law and statutory duty is sufficient without the requirement of oppressively stipulated conditions within the premises license.
10. A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the

complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers.

There is no discernible, regulatory or legal reason for such a condition simply because of a slight variation in the operating hours. It seems to us that this proposed condition together with the above proposed conditions arise because of one harassing couple who live on the second floor of the premises and who have unlawfully caused knowingly false and fabricated complaints to be made to the Noise and Nuisance team in an attempt to place pressure on the business and freeholder for their own personal gain. There has never been any finding of a noise disturbance despite visits from the noise and nuisance team and all investigations have proven to the contrary and that these individuals are intent on causing harassment for their own personal gain. Therefore, all proposed new conditions that do not feature within the current licence that appear to be solely proposed in order to satisfy an ulterior purpose shall be appealed.

Kind regards,

Festus Akinboyewa BSc; MA

Noise & Nuisance Officer, Environment and Resident Experience



Haringey Council

Level 9, Alexandra House, 10 Station Road, Wood Green London N22 7TR

T. 020 8489 5192

festus.akinboyewa@haringey.gov.uk

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facebook.com/haringeycouncil

From: Jennifer Barrett <Jennifer.Barrett@Haringey.gov.uk>

Sent: 07 July 2023 12:01

To: Festus Akinboyewa <Festus.Akinboyewa@haringey.gov.uk>

Subject: FW: Premises Licence Variation Application- Ousia, 162 Fortis Green Road, Hornsey, London, N10 3DU. (WK/570812)

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