

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Thursday, 9th October, 2025, 7.00 pm - Microsoft Teams (watch the live meeting [here](#) watch the recording [here](#))

Councillors: Anna Abela (Chair), Sheila Peacock and Nick da Costa

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 REVIEW OF A PREMISES LICENCE AT MH CAFE, 715 SEVEN SISTERS ROAD, TOTTENHAM, LONDON, N15 5JT (SEVEN SISTERS (PAGES 1 - 48)

To consider an application for a review of a premises licence.

7. 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
Assistant Director of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Wednesday, 01 October 2025

Report for: Licensing Sub Committee – 09th October 2025

Title: Application for the Review of a Premises Licence – MH Cafe,
715 Seven Sisters Road, Tottenham, London N15 5JT

**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 application to review is submitted by the Noise RA and relates primarily to the objective of the prevention of crime and disorder, prevention of public nuisance has been cited. The application is set out at **Appendix 1** to the report.
- 1.2 The application contends that the operation of the premises has led to public nuisance from large numbers of patrons congregating outside on the pavement, Fights taking place and noise nuisance.
- 1.3 The Premises Licence Holder and DPS - Maria Trinidad Ramirez

The premises is licensed for the following:
Regulated Entertainment: Recorded Music
Late Night Refreshment
Supply of Alcohol

The times the Licence authorises the carrying out of licensable activities:
Recorded Music
Sunday to Thursday 1100 to 2230
Friday to Saturday 1100 to 0030

Late Night Refreshment
Friday to Saturday 2300 to 0030

Supply of Alcohol
Sunday to Thursday 1100 to 2230
Friday to Saturday 1100 to 0030
Christmas Eve and New Years Eve from the end of normal trading hours to the start of trading hours the day following.

The opening hours of the premises:
Monday to Thursday 1000 to 2300
Friday to Saturday 1000 to 0100
Sunday 1100 to 2300

The rear garden area shall be closed to staff and all patrons at 2100 hours each

day.

Christmas Eve and New Years Eve from the end of normal trading hours to the start of trading hours the day following.

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

For consumption for alcohol ON the premises only, ancillary to a meal.

A copy of the Premises licence is attached at Appendix 2.

1.4 **Consideration for LSC**

The Sub-Committee will be asked to determine this application and has the option to:

a) **Modify the conditions of the licence**

This could include either imposing further conditions on the licence or changing (for example, further restricting) the hours of certain licensable activities, where this is proportionate and relevant to the licensing objectives;

For this purpose, the conditions of the licence are modified if any of them are altered or omitted, or any new condition is added.

b) **Exclude a licensable activity from the scope of the licence**

The Sub-Committee may decide that it is proportionate and relevant to the Licensing objectives to remove one or more of the licensable activities;

c) **Remove the Designated Premises Supervisor**

d) **Suspend the licence for a period not exceeding three months**

e) **Revoke the licence**

- 1.6 Depending on the decision of the Sub-Committee, the licence holder and the applicants have rights of appeal to the Magistrates Court. The Sub-Committee is asked to state its reasons considering the representations received and what is appropriate for the promotion of the licensing objectives.

2. **Background**

- 2.1 The premises licence was initially granted on 20th October 2024. The premises has had a number of noise complaints and allegations of operating outside of permitted hours.

3. **Licensing Policy**

- 3.1 In reviewing a licence the Licensing Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information.
- 3.2 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. The Sub-Committee does not have the

power to judge the criminality or otherwise of any issue. The Sub-Committee's role is to ensure the promotion of the crime prevention objective

- 3.3 Where reviews arise in respect of these criminal activities and the Sub-Committee determines that the crime prevention objective is being undermined, It is expected that revocation of the licence – even in the first instance – should Be seriously considered.
- 3.4 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. Appendix 3 – Review section 182 Guidance.

4. Other considerations

- 4.1 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 prevent crime and disorder in its area'.

5. Human Rights

- 5.1 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.

6. Use of Appendices

Appendix 1 – Review Application Form and supporting documents
Appendix 2 – Copy of licence
Appendix 3 – section 182 Guidance information.

7. Background papers

Section 82 Guidance
Haringey Statement of Licensing Policy

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Appendix 1

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London Borough of Haringey, Licensing Team, River Park House, Level 1, 225 High Road, Wood Green, London, N22 8HQ

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Craig Bellringer Senior Noise and Nuisance Officer

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

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

MH CAFE
715 SEVEN SISTERS ROAD
TOTTENHAM
LONDON
N15 5JT

Post town
LONDON

Post code (if known)
N15 5JT

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

Maria Trinidad Ramirez Ramirez

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

LN/000027290

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

✓

3) a member of the club to which this application relates
(please complete (A) below)

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

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Name and address Haringey Council 9 th Floor Alexandra House Wood Green London N22 7TY |
| Telephone number (if any) |
| E-mail address (optional) Craig.bellringer@haringey.gov.uk |

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

- | | |
|---|--------------------------------------|
| 1) the prevention of crime and disorder | Please tick one or more boxes ✓ ✓ |
| 2) public safety | |
| 3) the prevention of public nuisance | ✓ |
| 4) the protection of children from harm | |

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

The Noise and Nuisance team have received 8 complaints for this premises since 22nd March 2025.

We have issued an Abatement Notice issued on 13th April 2024 for loud music and a Fixed Penalty Notice issued on 16th August 2025 for loud music.

We received a complaint from a patron of the bar that they were assaulted by the DPS and that the bar operated past the permitted hours.

Officers attended on Sunday 8th June 2025 at 01:05 and the bar/restaurant had the shutters closed and doorway shutters halfway down the music was audible from outside and the disco lights were seen, the SIA officer tried to deny the officers entry, and people were seen coming from the back area. Officers went inside and people were seen drinking inside. Officers spoke with the partner of the DPS Abdul Hadi Safai. He apologised for staying open past the permitted times and officers explained that they have a 30-minute drinking up time which wasn't being adhered to. Officers sent a Licensing Breach letter and an email to the DPS asking for CCTV for the night which wasn't supplied or responded too. Attached as **Appendix One**

On 15th Jun at approx. 01:30 hrs officers attended. The shutter was down but people were inside, drinking and Karaoke taking place female patron was singing in Spanish. About 30-40 people were inside. Officers opened the shutter and asked the SIA officer to get the DPS he came claiming it is a private party officers explained he has no TENs and, he can't close the shutter and carry on with licensable activities in the name of private party. Licensing Breach letter was sent and attached as **Appendix Two**

On 16th August 2025 officers attended at 1am and music was audible from street level as officers approached, the music was very loud at street level and about 30-40 people were inside, some dancing and some were asleep. officers made their way to back area to inspect if the back area was being in use and there were two people inside the area that should have been closed from 9pm. Officers spoke with Abdul Hadi Safai who is the partner of the DPS, and when he saw the officers, he switched off his card machine. Officers went to the back area the two people were smoking inside the rear area.

Officers explained that this is 3rd time that they have witnessed the premises staying open past their closing time. He apologised and officers stated that they will be initiating a review of the licence. Officers asked him to stop serving alcohol and to ask his patrons to leave.

Officers noted no food being served and all were vertically drinking which is a condition of the licence. There were three people who were visibly intoxicated one was asleep, and one was asleep with his top off in the corner. all three struggled to walk out of the venue. when the patrons left the premises there was no control of them leaving and most left with open glass bottles of alcohol.

Officers asked to see his licence and pointed out the conditions that he was breaching and that he has a 30-minute drinking up time and alcohol was still being served at 1am. When officers left one of the visibly intoxicated males was urinating up against another business on our way back to our work vehicle. A fixed penalty was issued for the breach of abatement notice for loud music and another Licensing Breach letter was issued and attached as **Appendix Three**

Officers attended on Sunday 17th August at 00:57hrs and when they approached the business it appeared closed with the shutters pulled down. Officers could see the disco lights on, and music was being played, officers opened the shutters. The door which the SIA officers was stood by, and a metal latch was being used to stop the door being opened from the outside. They entered the premises and about 25 people were inside all had drinks on their tables, no meals were being served. Officers went to the back area and two people were smoking inside the rear area which should be closed at 9pm. Abdul Hadi Safai immediately turned the lights on and asked everyone to

leave. Officers asked Abdul Hadi Safai why alcohol was still being served when the licence states that they can only serve alcohol from 11:00 to 00:30 and why people were vertically drinking and not ancillary to a meal. He denied that he was serving alcohol and that they had a birthday cake that they served. Officers asked to view his CCTV to verify this, and he stated he can't access his CCTV as he has broken his phone.

Please see below from MH Cafe Premises Licence:

THE PREVENTION OF CRIME AND DISORDER

A digital CCTV system will be installed in the premises complying with the following Criteria:

(a) Cameras will be sited to observe customer entrance and exit doors both Inside and outside.

(b) Camera(s) on the entrance must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification and to an evidential quality.

(c) Provide a linked record of the date, time and place of any image;

(d) Provide good quality images during opening times;

(e) Have the recording device located in a secure area or locked cabinet;

(f) Have a monitor to review images and recorded picture quality;

(g) Be regularly maintained to ensure continuous quality of image capture and Retention;

(h) Have signage displayed in the customer area to advise that CCTV is in operation;

(i) Digital images must be kept for 31 days;

(j) The Licensing Authority and Responsible Authorities shall have access to images upon request at all reasonable times.

(k) The equipment must have a suitable export method, e.g. USB drive so that the Police or authorised officers of the council can make an evidential copies of the data when they require. Copies must be available within a reasonable time to the authorised officer on request.

(l) All cameras will record constantly during all hours the premises are open to the public or to a section of the public permitted access for private events and outside smoking areas.

(m) There must be a member of staff on site who can operate the CCTV at all times when open to the public.

Posters stating that CCTV is in use at the Premises shall be displayed at or near the entrance to the Premises and within the building itself.

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 an authorised officer of the Council or 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*

No alcoholic drinks or glass containers will be taken out onto the public highway.

All alcoholic Drinks will be served ancillary to a meal, there shall be no vertical drinking.

The premises licence holder shall ensure that the area immediately outside the premises is kept clean and free from smoking related litter at all material times to the satisfaction of the Licensing Authority.

The police must be called to all incidents of unlawful violence or serious disorder

PUBLIC SAFETY

The capacity of the premises will not exceed 65 people in total with SIA provided as and when required.

A Fire alarm will be installed.

All fire safety equipment will be maintained and regularly inspected.

The DPS shall carry out Fire and Health & Safety risk assessments required for the licensed premises.

Any notices regarding public Health & Safety shall be prominently displayed.

All staff shall ensure that the premise operates in line with existing Health & Safety legislation and the DPS shall ensure that all staff are suitably trained to meet this requirement and consistently adhere to it.

All staff will undergo induction training.

All exit doors are easily operable without the use of a key, card, code or similar means.

All fire doors are maintained unobstructed and effectively self-closing and will not be held open other than with approved devices.

Adequate and appropriate First Aid equipment and materials will be available on the premises.

THE PREVENTION OF PUBLIC NUISANCE

A 30-minute drink up time will be in place.

Use of the rear yard needs to cease for all activities by 21:00 every day this is to minimise the risk of public nuisance.

Customers who wish to smoke may go to the front of the premises thereafter 2100

hours.

The management shall make subjective assessments of noise levels outside the perimeter of the premises approximately hourly, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents/businesses.

Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and 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.

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

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Patrons leaving and entering the premises shall be managed to prevent public nuisance arising from people gathering or loitering, littering and noise. Patrons shall also be actively encouraged to leave the area promptly upon closing.

To prevent noise nuisance, no amplified sound including recorded and live music shall be played in the outdoor area of the premises at any time.

To prevent any noise nuisance, the volume level of recorded or live music played within the premises shall maintained at a level that ensures it is not audible at or beyond the site boundary of the premises. Noise from the premises should not be audible within the nearest residential premises at any time.

The number of smokers permitted outside the premises at any time shall be limited to 3 persons or fewer at any one time. No smoking shall be permitted in the rear garden area after closing.

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to nuisance.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.

THE PROTECTION OF CHILDREN

All staff involved in the sale of alcohol shall receive induction and refresher training regularly relating to the sale of alcohol and the times and conditions of the premises licence.

All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed prominently within the Premises – including in a visible location:

(a) At the entrance to the Premises;

(b) Behind the bar;

(c) In any other area where alcohol can be purchased by a customer.

A written record of refused sales shall be kept on the premises and updated as and when required. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

Underage children may be allowed on the premises in the care of parents or responsible adults up to 21:30 hours.

The only acceptable ID will be those with photographic identification documents, including passport, photo-card, driving license or proof of age card bearing the PASS hologram.

A sign stating "No proof of age – No sale" shall be displayed at the point of sale.

The Licensee and Designated Premises Supervisor shall ensure that alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).

The reason I have called for a licensing review as I believe the DPS is unable to adhere to licensing objectives. Specifically:

THE PREVENTION OF PUBLIC NUISANCE

THE PREVENTION OF CRIME AND DISORDER

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

Below is the current licence.

Licensable activities authorised by the Licence:

Regulated Entertainment: Recorded Music

Late Night Refreshment

Supply of Alcohol

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

Recorded Music

Sunday to Thursday 1100 to 2230

Friday to Saturday 1100 to 0030

Late Night Refreshment

Friday to Saturday 2300 to 0030

Supply of Alcohol

Sunday to Thursday 1100 to 2230

Friday to Saturday 1100 to 0030

Christmas Eve and New Years Eve from the end of normal trading hours to the start of trading hours the day following.

The opening hours of the premises:

Monday to Thursday 1000 to 2300

Friday to Saturday 1000 to 0100

Sunday 1100 to 2300

The rear garden area shall be closed to staff and all patrons at 2100 hours each day.

Christmas Eve and New Years Eve from the end of normal trading hours to the start of trading hours the day following.

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

For consumption for alcohol ON the premises only, ancillary to a meal.

I recommend revoking the licence due to the repeated breaches of the licence and staying open past their permitted hours.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

| Day | Month | Year |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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

N/A

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, 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.

Part 3 – Signatures (please read guidance note 4)

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



Signature

.....

Date 16th August 2025

.....

Capacity Noise and Licensing Officer

.....

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

Post town

Post Code

Telephone number (if any)

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

Notes for Guidance

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

Your Ref: WK/636094

Our Ref: Licensing

Date: 21st August 2025**Delivered by Hand to**

MH Café
715 Seven Sisters Road
Tottenham
London
N15 5JT

Dear Maria Trinidad Ramirez Ramirez,

**Re: PREMISE LICENCE REVIEW APPLICATION – BY ANTI SOCIAL BEHAVIOUR TEAM
MH CAFE, 715 SEVEN SISTERS ROAD, TOTTENHAM, LONDON N15 5JT.**

The Licensing Authority has been served with the attached application for a review of the premises license by Residents. The review is brought about due to the License Holder failing to uphold the licensing objectives.

This Authority is required to display public notices on the premises for 28 days and also carry out public notice. You are advised that the notices left on display in and around the premises must not be defaced or tampered with in any way.

During the 28 day consultation period other Responsible Authorities and Interested Parties are able to submit letters of representation to the Council.

You may also submit any evidence you feel will be relevant to your case at the review hearing.

It is intended that the matter is set before the Licensing Sub Committee. I will ensure that you are notified of the date of the hearing and that further guidance is sent to you nearer the time.

Yours faithfully,

DALIAH BARRETT-WILLIAMS
LICENSING LEAD OFFICER

Enc: Copy of Review application

Licensing Team
Level 1, River Park House
225 High Road
London, N22 8HQ

T 020 8489 8232

E licensing@haringey.gov.uk

www.haringey.gov.uk

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Maria Trinidad Ramirez Ramirez
MH Cafe
715 Seven Sisters Road
Tottenham
London
N15 5JT

Our ref:

Date: 8th June 2025

Contact: ASB Enforcement Team

Warning Letter: Licensing Act 2003

Address: MH Cafe, Shop, 715 Seven Sisters Road, Tottenham, London,
Haringey, N15 5JT

Following on from the visit I made on Sunday 8th June 2025 at 01:05hrs the following was noted which is required under the conditions of the licence:

Operating outside your opening hours which are Friday to Saturday 10:00am to 01:00am

All alcoholic Drinks will be served ancillary to a meal, there shall be no vertical drinking.

CCTV not working or accessible when requested.

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

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

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

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

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

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

Yours sincerely

Craig Bellringer
Craig.bellringer@haringey.gov.uk

Community Safety & Enforcement

4th Floor, Alexandra House
Station Road
London N22 7TY

T: 020 8489 1335

E: asb.enforcement@haringey.gov.uk

www.haringey.gov.uk

Craig Bellringer

From: Craig Bellringer
Sent: 08 June 2025 01:38
To: acomodacionesmaria@hotmail.com
Cc: Licensing
Subject: CCTV Request

Hello,

After my visit tonight at 01:05hrs, you were operating past your licensable hours. I'm requesting your CCTV for this evening I would like to view your CCTV for 23:45hrs to 01:05hrs. Can you please let me know how you would like to send this footage or for me to pick the footage up?

I will also be sending you a letter regarding the breaches of your licence.

Regards

Craig Bellringer
Noise and Nuisance Officer
Neighbourhoods & Environments



1st Floor, New River House, 225 High Road, London, N22 7TR

T.
M 07971367858
Craig.Bellringer@haringey.gov.uk
www.haringey.gov.uk
[twitter@haringeycouncil](https://twitter.com/haringeycouncil)
facebook.com/haringeycouncil

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DOING
THE
RIGHT
THING**

**KEEP
HARINGEY
SAFE**

**Haringey
LONDON**

**Protect y
others from**
haringey.gov



Maria Trinidad Ramirez Ramirez
MH Cafe
715 Seven Sisters Road
London
N15 5JT

Our ref: WK/000631136

Date: 18th June 2025

Contact: ASB.Enforcement@haringey.gov.uk

Warning Letter: Licensing Act 2003

Address: MH Cafe, Shop, 715 Seven Sisters Road, Tottenham, N15 5JT

Following on from the visit, I made on 15th June at approx. 01:20 hrs the following was noted which is required under the conditions of the licence:

-Operating outside your opening hours which are Friday to Saturday 10:00am to 01:00am

-All alcoholic Drinks will be served ancillary to a meal; there shall be no vertical drinking.

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

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

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

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

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

Yours sincerely

ASB Enforcement Team

Community Safety & Enforcement

4th Floor, Alexandra House
Station Road
London N22 7TY

T: 020 8489 1335

E: asb.enforcement@haringey.gov.uk

www.haringey.gov.uk

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Maria Trinidad Ramirez Ramirez
MH Cafe
Shop
715 Seven Sisters Road
Tottenham
London
N15 5JT

Our ref:

Date: 16th August 2025

Contact: ASB Enforcement Team

Warning Letter: Licensing Act 2003

Address: MH Cafe, Shop, 715 Seven Sisters Road, Tottenham, London,
Haringey, N15 5JT

Following on from the visit I made on 16th August 2025 at 01:00hrs the following was noted which is required under the conditions of the licence:

No alcoholic drinks or glass containers will be taken out onto the public highway.

All alcoholic Drinks will be served ancillary to a meal, there shall be no vertical drinking

A 30-minute drink up time will be in place.

Use of the rear yard needs to cease for all activities by 21:00 every day this is to minimise the risk of public nuisance.

Customers who wish to smoke may go to the front of the premises thereafter 2100 hours.

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

To prevent any noise nuisance, the volume level of recorded or live music played within the premises shall maintained at a level that ensures it is not audible at or beyond the site boundary of the premises. Noise from the premises should not be audible within the nearest residential premises at any time.

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to nuisance.

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

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

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

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

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

Community Safety & Enforcement
4th Floor, Alexandra House

Station Road

London N22 7PP

T: 020 8489 1335

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Appendix 2

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LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: SMYAC00248147

Premises Licence Number: LN/000027290

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: 20th October 2023

Part 1 – PREMISES DETAILS

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

**MH CAFE
715 SEVEN SISTERS ROAD
TOTTENHAM
LONDON
N15 5JT**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Regulated Entertainment: Recorded Music

Late Night Refreshment

Supply of Alcohol

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

Recorded Music

Sunday to Thursday 1100 to 2230

Friday to Saturday 1100 to 0030

Late Night Refreshment

Friday to Saturday 2300 to 0030

Supply of Alcohol

Sunday to Thursday 1100 to 2230

Friday to Saturday 1100 to 0030

Christmas Eve and New Years Eve from the end of normal trading hours to the start of trading hours the day following.

LICENSING ACT 2003
Sec 24

The opening hours of the premises:

| | |
|--------------------|--------------|
| Monday to Thursday | 1000 to 2300 |
| Friday to Saturday | 1000 to 0100 |
| Sunday | 1100 to 2300 |

The rear garden area shall be closed to staff and all patrons at 2100 hours each day.

Christmas Eve and New Years Eve from the end of normal trading hours to the start of trading hours the day following.

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

For consumption for alcohol **ON** the premises only, **ancillary to a meal.**

Part 2

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

Maria Trinidad Ramirez Ramirez

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

Not applicable

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

Maria Trinidad Ramirez Ramirez

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

Personal Licence: LN/000025789

Issued by: London Borough of Haringey

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 –

—children^{ll} means persons aged under 18; and —film classification body^{ll} 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 3 – Conditions attached after a hearing by the licensing authority

THE PREVENTION OF CRIME AND DISORDER

A digital CCTV system will be installed in the premises complying with the following

Criteria:

- (a) Cameras will be sited to observe customer entrance and exit doors both Inside and outside.
- (b) Camera(s) on the entrance must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification and to an evidential quality.
- (c) Provide a linked record of the date, time and place of any image;
- (d) Provide good quality images during opening times;
- (e) Have the recording device located in a secure area or locked cabinet;
- (f) Have a monitor to review images and recorded picture quality;
- (g) Be regularly maintained to ensure continuous quality of image capture and Retention;
- (h) Have signage displayed in the customer area to advise that CCTV is in operation;
- (i) Digital images must be kept for 31 days;
- (j) The Licensing Authority and Responsible Authorities shall have access to images upon request at all reasonable times.
- (k) The equipment must have a suitable export method, e.g. USB drive so that the Police or authorised officers of the council can make an evidential copies of the data when they require. Copies must be available within a reasonable time to the authorised officer on request.
- (l) All cameras will record constantly during all hours the premises are open to the public or to a section of the public permitted access for private events and outside smoking areas.
- (m) There must be a member of staff on site who can operate the CCTV at all times when open to the public.

Posters stating that CCTV is in use at the Premises shall be displayed at or near the entrance to the Premises and within the building itself.

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 an authorised officer of the Council or 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

No alcoholic drinks or glass containers will be taken out onto the public highway.

All alcoholic Drinks will be served ancillary to a meal, there shall be no vertical drinking.

The premises licence holder shall ensure that the area immediately outside the premises is kept clean and free from smoking related litter at all material times to the satisfaction of the Licensing Authority.

The police must be called to all incidents of unlawful violence or serious disorder.

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

PUBLIC SAFETY

The capacity of the premises will not exceed 65 people in total with SIA provided as and when required.

A Fire alarm will be installed.

All fire safety equipment will be maintained and regularly inspected.

The DPS shall carry out Fire and Health & Safety risk assessments required for the licensed premises.

Any notices regarding public Health & Safety shall be prominently displayed.

All staff shall ensure that the premise operates in line with existing Health & Safety legislation and the DPS shall ensure that all staff are suitably trained to meet this requirement and consistently adhere to it.

All staff will undergo induction training.

All exit doors are easily operable without the use of a key, card, code or similar means.

All fire doors are maintained unobstructed and effectively self-closing and will not be held open other than with approved devices.

Adequate and appropriate First Aid equipment and materials will be available on the premises.

THE PREVENTION OF PUBLIC NUISANCE

A 30-minute drink up time will be in place.

Use of the rear yard needs to cease for all activities by 21:00 every day this is to minimise the risk of public nuisance.

Customers who wish to smoke may go to the front of the premises thereafter 2100 hours.

The management shall make subjective assessments of noise levels outside the perimeter of the premises approximately hourly, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents/businesses.

Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and 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.

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

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Patrons leaving and entering the premises shall be managed to prevent public nuisance arising from people gathering or loitering, littering and noise. Patrons shall also be actively encouraged to leave the area promptly upon closing.

To prevent noise nuisance, no amplified sound including recorded and live music shall be played in the outdoor area of the premises at any time.

To prevent any noise nuisance, the volume level of recorded or live music played within the premises shall maintained at a level that ensures it is not audible at or beyond the site boundary of the premises. Noise from the premises should not be audible within the nearest residential premises at any time.

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

The number of smokers permitted outside the premises at any time shall be limited to 3 persons or fewer at any one time. No smoking shall be permitted in the rear garden area after closing.

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to nuisance.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.

THE PROTECTION OF CHILDREN

All staff involved in the sale of alcohol shall receive induction and refresher training regularly relating to the sale of alcohol and the times and conditions of the premises licence.

All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed prominently within the Premises – including in a visible location:

- (a) At the entrance to the Premises;
- (b) Behind the bar;
- (c) In any other area where alcohol can be purchased by a customer.

A written record of refused sales shall be kept on the premises and updated as and when required. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

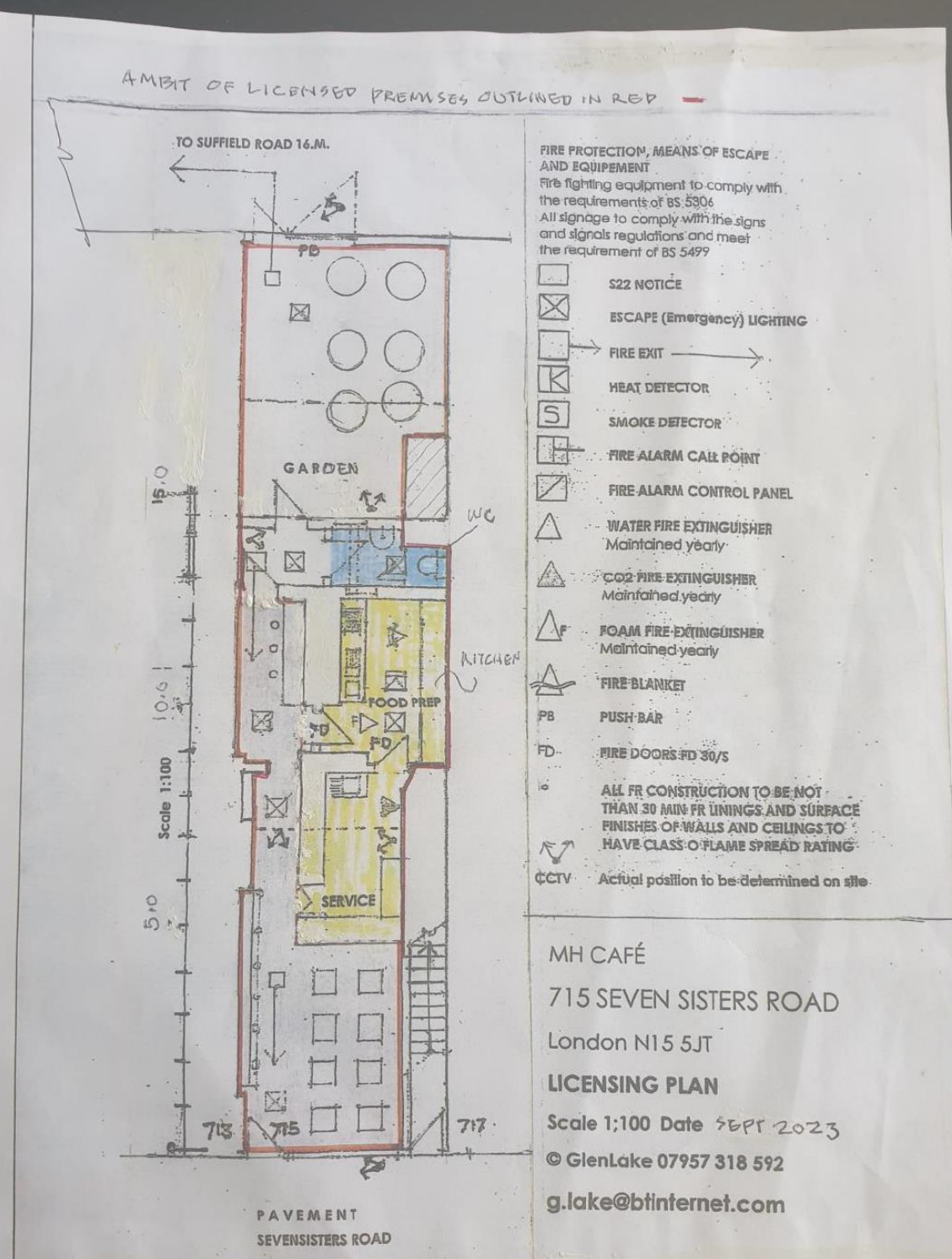
Underage children may be allowed on the premises in the care of parents or responsible adults up to 21:30 hours.

The only acceptable ID will be those with photographic identification documents, including passport, photo-card, driving license or proof of age card bearing the PASS hologram.

A sign stating "No proof of age – No sale" shall be displayed at the point of sale.

The Licensee and Designated Premises Supervisor shall ensure that alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).

Annex 4 – Plans



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Appendix 3

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11. Reviews

The review process

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

achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as relevant unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, consideration may be given as to whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the licensing authority may be asked to consider whether it would be appropriate to publish a cumulative impact assessment. Further guidance on cumulative impact assessments can be found in Chapter 14 of this Guidance.
- 11.9 Responsible authorities and other persons may make representations in respect of an application to review a premises licence or club premises certificate. They must be relevant (i.e., relate to one or more of the licensing objectives) and, in the case of other persons, must not be frivolous or vexatious. Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

Repetitious grounds of review

- 11.12 A repetitious ground is one that is identical or substantially similar to:

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

Powers of a licensing authority on the determination of a review

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account

when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough

¹⁰ See chapter 16 in relation to the licensing of live and recorded music.

action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;

- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Review of a premises licence following closure order or illegal working compliance order

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 or an illegal working compliance order under section 38 of and Schedule 6 to the Immigration Act 2016. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

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

11.29 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

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