

NOTICE OF MEETING

LICENSING SUB COMMITTEE B

Thursday, 15th September, 2016, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE

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

Quorum: 3

1. FILMING AT MEETINGS

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

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

2. APOLOGIES FOR ABSENCE

3. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be considered at item 8 below).

4. DECLARATIONS OF INTEREST

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

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

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

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

5. SUMMARY OF PROCEDURE (PAGES 1 - 2)

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

6. COSTCUTTER 824-828 HIGH ROAD LONDON N17 0EY (PAGES 3 - 34)

To consider an application for a premises licence review brought by Trading Standards as a Responsible Authority.

7. N17 LOUNGE (FORMERLY PRIDE OF TOTTENHAM) 614 HIGH ROAD LONDON N17 9TB (PAGES 35 - 114)

To consider an application for a premises licence review brought by the Enforcement Response team as a Responsible Authority.

8. ITEMS OF URGENT BUSINESS

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

Maria Fletcher, Principal Committee Co-ordinator

Tel – 020 84891512

Fax – 020 8881 5218

Email: maria.fletcher@haringey.gov.uk

Bernie Ryan

Assistant Director – Corporate Governance and Monitoring Officer

River Park House, 225 High Road, Wood Green, N22 8HQ

Wednesday, 07 September 2016

APPENDIX 3

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

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


 Licensing Act 2003 Sub-Committee on 15th September 2016

Report title: Application for a Review of a Premises Licence at Costcutter 824/828 High Road Tottenham N17 0EY.
Report of: The Licensing Team Leader
Ward(s) affected Northumberland Park
1. Purpose

To consider an application by The Trading Standards Team for a review of the premises licence at Costcutter.

Summary of application

- The applicants – Trading Standards as a Responsible Authority are seeking a review of the Premises Licence with reference to the licensing objectives of the Prevention of Crime and Disorder and Public Safety.

Date review application served: 5th August 2016

In accordance with regulation 38 of the Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005, officers arranged for notices of the review to be published for 28 days on the affected premises, on the public notice board at the Civic Centre and on the Council's website.

A copy of the review application and supporting documents are at Appendix 1.

2. Officers Observations

In determining this application the Licensing Sub Committee must have regard to the:

- 2.1
- (a) need to promote the four licensing objectives
 - (b) representations
 - (c) relevant sections of the statutory guidance to licensing authorities (appendix 2)
 - (d) relevant sections of the licensing authority's statement of licensing policy (appendix 3)

Report authorised by: Daliah Barrett

Licensing Team Leader

Contact Officer: Ms Daliah Barrett -Williams
Telephone: 020 8489 8232
3. Access to information:

Local Government (Access to Information) Act 1985

Background Papers

The following Background Papers are used in the preparation of this Report:

File: Costcutter

The Background Papers are located at Regulatory Services, Alexandra House Level 6, 10 Station Road, Wood Green, London N22 7TR

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4. REPORT

Background

A premises licence was originally granted in June 2008. Mr Patel transferred the licence in 2015 after being found to be trading at the premises and supplying alcohol under the previous owners details as he had failed to transfer the licence. Mr Patel admits that he was responsible at the premises when the illicit alcohol and cigarettes were found.

Licensable activities authorised by the Licence:

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

Supply of Alcohol

Monday to Saturday	0800 to 2300
Sunday	1000 to 2230
Good Friday	0800 to 2230
Christmas Day	1200 to 1500 & 1900 to 2230
New Years Eve	from the start of permitted hours on 31 December until the start of permitted hours on 1 January

The designated premises supervisor is: Mr Anit Patel

4.2.1 Details of the Application for Review and Supporting Documentation. Appendix 1

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

The operation of the premises has failed to uphold the Licensing Objectives of The Prevention of Crime and Disorder and Public Safety.

The premises were found to be stocking and selling non duty paid tobacco and alcohol from the premises.

Mr Patel was also found to be selling beers and larger cheaper than permitted by the mandatory condition requiring that alcohol is sold at cost plus VAT. The premises was doing so in an irresponsible fashion and placed income above retailing alcohol responsibly in the area. This mandatory condition was imposed to stop the sale of cheap alcohol that that make people drink in excess which has a detrimental effect on health and also on the community as a whole.

5.0 RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

5.1 Comments of Metropolitan Police

No representation made.

5.2 Comments of Enforcement Services:

No representation made

5.3 Comments of The London Fire and Emergency Planning Authority

No representation made.

6.0 Comments of Interested Parties

No comments made.

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

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

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

Where the Licensing Sub Committee takes steps mentioned in 3 or 4 it may provide that the modification or exclusion is to have effect for one such period (not exceeding three months) as it may specify. The Licensing Sub Committee is asked to give full reasons for its decision.

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

**8.0 The following provisions of the Secretary of State's guidance apply to this application: Paras 11.24-11.28 These provisions are attached at
Appendix 2.****8.1 The following paragraphs of the licensing authority's Statement Of Licensing Policy apply to this application; Section 78, these provisions are attached at
Appendix 3.****8.2 The Licensing Sub Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.**

LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG870335

Premises Licence Number: LN/000006431

This Premises Licence has been issued by:

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

Signature:

Date: 17th June 2008

Trans & Vary DPS: 20th October 2015

Part 1 – PREMISES DETAILS

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

**COSTCUTTER TOTTENHAM POST OFFICE
824-828 HIGH ROAD
TOTTENHAM
LONDON
N17 0EZ**

Telephone: 020 8808 4104

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 Sunday 0700 to 0000 hours

The opening hours of the premises:

Monday to Sunday 0700 to 0000 hours

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

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

LICENSING ACT 2003
Sec 24

Part 2

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

Anit Patel
824-828 High Road
Tottenham
London
N17 0EZ

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:

Anit Patel
1 Shenleybury Cottages
Shenley
Radlett
WD7 9DJ

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

Licence number:	DAC021067
Issued by:	Decorum Borough Council

Annex 1 –Mandatory Conditions

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.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

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.

Annex 2 – Conditions consistent with the Operating Schedule

There will be training of all staff on the premises to ensure that they understand and adhere to the law relating to the sale of alcohol.

THE PREVENTION OF CRIME AND DISORDER

CCTV will be installed and maintained so that it is fully operational at all times, and tapes to be kept in accordance with police guidelines.

Recordings to be kept for a minimum of 30 days and made available to Police and Council officers upon request

Alarm system will be in place.

Shutters will be fitted at front windows.

PUBLIC SAFETY

All staff trained to deal with any outbreak of fire at the premises.

Fire extinguishers will be installed and regularly serviced in accordance with fire authority guidelines.

Fire risk assessment and emergency plan will be completed.

THE PREVENTION OF PUBLIC NUISANCE

Anyone who is drunk or appears to be buying alcohol for someone who is drunk will be refused the sale of alcohol.

THE PROTECTION OF CHILDREN

Scheme 21 to be operated at all times, and all staff will be trained to accept only a proof of age (pass scheme). Card, passport, or photo driving licence as acceptable forms of ID when selling alcohol to young people.

Signs will be displayed at point of sale stating "No Proof of Age, No Sale".

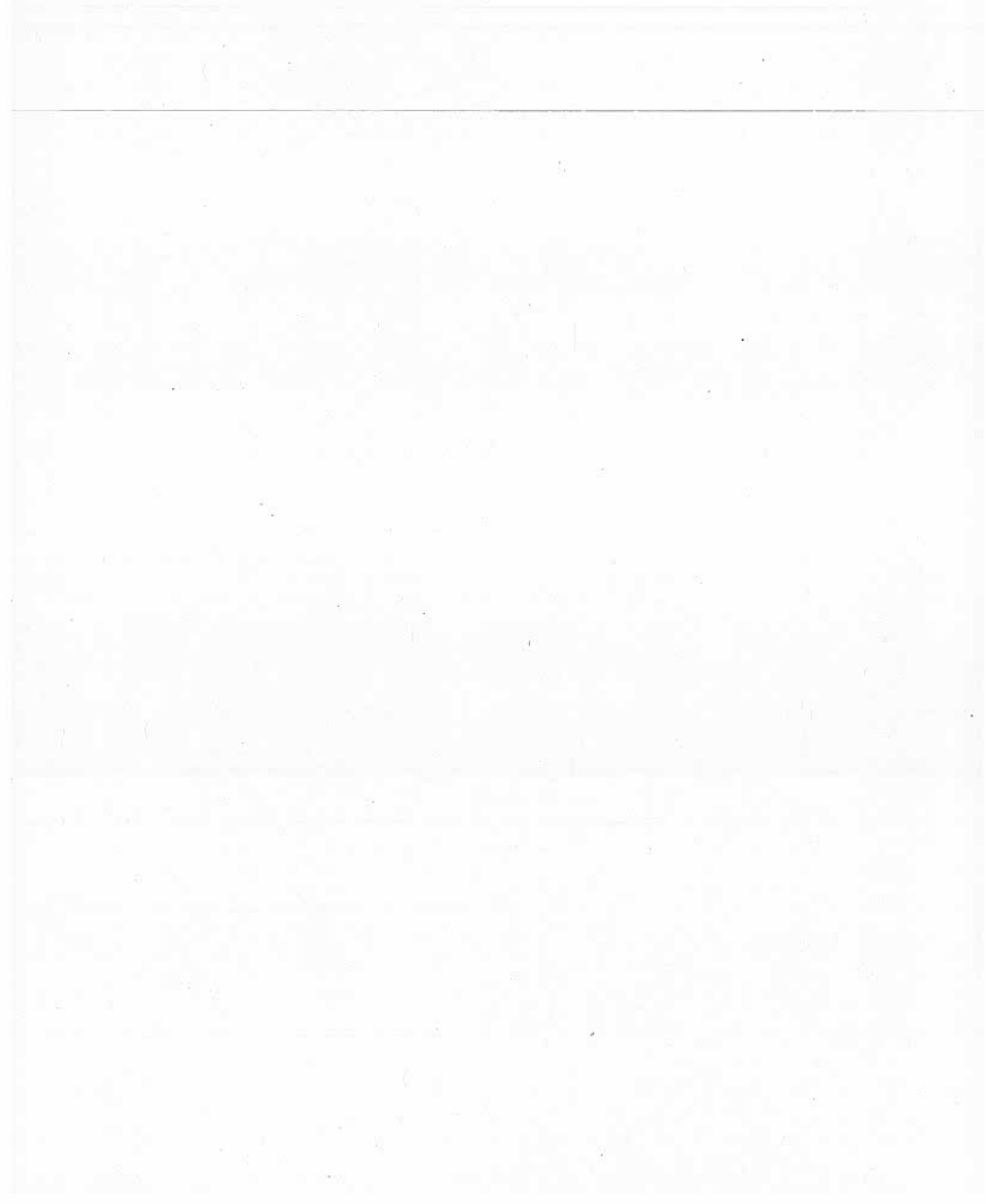
A refusal book will be kept at the premises and maintained at all times.

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

Not applicable

Annex 4 – Plans

LODGED WITH LICENSING AUTHORITY



APPENDIX 1 – APPLICATION FORM



PUBLIC NOTICE

Notice of Application for the review of a Premises Licence.

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

**COSTCUTTER
824-828 HIGH ROAD
TOTTENHAM
LONDON N17 0EY**

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

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

- **THE PREVENTION OF CRIME & DISORDER**
- **PUBLIC SAFETY**

Failing to uphold and promote the prevention of crime and disorder and public safety objective by selling non duty paid goods on the premises namely cigarettes and alcohol over a period of time.

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

Lead Officer – Licensing, Haringey Council, Alexandra House, Level 6, 10 Station Road, Wood Green, London N22 7TR.

By: 1st SEPTEMBER 2016

The grounds for review and Haringey Councils Licensing register may be viewed by appointment Monday to Friday (except Bank Holidays) at the Licensing Team, Alexandra House, Level 6, 10 Station Road, Wood Green, London, N22 7TR between the hours of 10.00am and 4.00pm.

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

[Insert name and address of relevant licensing authority and its reference number (optional)]

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 Rebecca Whitehouse/Felicia Ekemezuma Responsible Authority for Trading Standards

(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 Costcutter /Tottenham Post office 824-828 high Road London N17		HARINGEY COUNCIL LICENSING RECEIVED - 5 AUG 2016
Post town Tottenham	Post code (if known) N17 0EY	

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

Number of premises licence or club premises certificate (if known) LN000006431
--

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

I am 18 years old or over

Please tick ✓ yes

☐

**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)

During the inspection of the shop officers discovered foreign cigarettes behind the counter of the shop premises and in larger quantities in a store room. The cigarettes found had not had their UK Duty paid as required by the Customs and Excise Management Act.

In addition to the 620 cigarettes found behind the counter which are detailed in Officer HOANG's statement a further 1,800 Marlboro Gold Cigarettes, 1,400 Winston Cigarettes and 400 Minsk Cigarettes. were found in a carrier bag in a storeroom.

As well as being not UK Duty paid the cigarettes also did not have the correct statutory health warnings which are legally required for the UK market. Having these cigarettes in possession for supply on a shop premises is a breach of Regulation 14 (1) of the Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002 as they do not bear the required warning "smoking kills" or "Smoking seriously harms you and others around you" and on the other most visible surface a prescribed picture warning . This can be a criminal offence under Section 12(1) of the Consumer Protection Act 1987.

An examination of the alcoholic spirit in the shop and storeroom revealed a total of 385.03 litres of spirits which were not Duty Paid. These spirits included Glens Vodka which had fake rear labels and a fake Duty Stamp. Although the product itself was genuine the rear label was fake. The fake Duty Stamp could give the impression to Consumers that the goods were legal to sell when they are not which can be an offence under the Consumer Protection From Unfair Trading Regulations 2008.

It can be an offence under Section 144 of the Licensing Act 2003 for the Designated premises

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address L.B.Haringey Trading Standards Service 6 th Floor, Alexandra House, 10 Station Road, London N22 7TR
Telephone number (if any) 020 8489-5158
E-mail address (optional) Rebecca.whitehouse@haringey.gov.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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

This application to review relates to the objectives to prevent crime and disorder and public Safety

On 14th October 2015 at approximately 10:25 AM Officers of the Trading Standards Service and Her Majesty's Revenue and Customs (HMRC) carried out inspection of the licensed premises. Anit Patel was initially not present but arrived very shortly after the commencement of the visit.

During the visit Anit PATEL informed Trading Standards that he was the Premises Licence Holder.

An inspection was carried out by officers and an examination was made of the area behind the counter and a further inspection was carried out of the store rooms.

Supervisor and Premises Licence holder to knowingly keep or allow goods to be kept on the premises which have been imported without payment of duty.

In total goods 4,220 cigarettes were seized together 385.03 litres spirits - which represents a Duty Loss of £5422.35 .

After the visit the Licence of the premises was examined and it became apparent the Mr Anit PATEL was not the Premises Licence Holder as he had stated and the matter was referred by Trading Standards to the Licensing Team.

On 20th October 2015 after an intervention by Licensing officers the Premises Licence was transferred to Anit PATEL. The explanation given by Anit PATEL at the time was that the Premises Licence was still in the name of the company which managed the business previously and that the "Head Office" had through an oversight not initiated the transfer when the shop had been taken over.

In our submission therefore, at the time of the visit on 14th October therefore Anit PATEL was to all intents and purposes in control of the sale of alcohol at the premises and acting in the capacity of the Premises Licence Holder and Designated Premises Supervisor.

On 3rd December 2015 Anit PATEL under Caution in accordance with the Police and Criminal Evidence Act 1984. He confirmed the stock was his and that he ran the shop side of the business while his wife ran the Post office.

He stated that the cigarettes were his and that he was using them as a promotional tool giving

them away to customers.

Trading Standards are concerned at the possession for supply of illicit tobacco and alcohol for the following reasons:

- The willingness to intentionally or recklessly break one law indicates the business is less likely to be compliant with other laws.
- The sale by retailers of illicit goods gives them an unfair advantage over law abiding businesses.
- Illicit goods are often smuggled into the country and / or produced by organised crime. It is believed that the profits are frequently used to fund other types of serious organised crime.
- The trade in illicit alcohol and tobacco causes huge losses to the UK's tax revenues.
- The trade in illicit alcohol and tobacco facilitates teen drinking and smoking
- The trade in illicit alcohol and tobacco makes it harder to beat addiction
- The trade in illicit cigarettes poses a risk to public safety through increased risk of fire from non fire retardant cigarettes.
- Illicit goods may be harmful as they do not come from legitimate, legal and/or traceable suppliers. There is no guarantee that they are safe and comply with other legislation.
- Supplying tobacco products with incorrect health warnings undermines the effectiveness of public health messages designed to discourage smoking.

Section 13(4) of Licensing Act 2003 and Regulation 7 of The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 makes a local weights and measures authority a responsible authority for the purposes of the legislation. The London Borough of Haringey is a local weights and measures authority and that function is carried out by the Trading Standards team.

Here is a summary of events supporting this application:-

Date	Event	Description
9 th August 2014 –	Provided information on responsible retailer scheme	Information package to assist businesses in trading responsibly. Business invited to sign up to the scheme
6 th August 2015 20 th August 2015	Provided further information on responsible retailer scheme	Information package to assist businesses in trading responsibly. Business invited to sign up to the scheme
14 th October 2015	Inspection of Shop carried out by Trading Standards and HMRC	In total goods 4,220 cigarettes were seized together 385.03 litres spirits - which represents a Duty Loss of £5422.35 . Mr Anit Patel identifies to be the licence holder.
14 th October 2015	Mr Anit Patel found to be operating without a licence	Discussion with licencing team. Mr Anit PATEL not the licence holder. Premises Licence was still in the name of the company which

		managed the business previously and that the "Head Office" had through an oversight not initiated the transfer when the shop had been taken over. Although Mr A PATEL was in charge and acting as the licence holder
20 th October 2015	Anit PATEL applies for and obtains a transfer of the premises Licence	Anit PATEL becomes the Premise Licence Holder and the Designated Premises Supervisor
3 rd December 2015	PACE Interview	Anit PATEL interviewed under Caution by Trading Standards
1 st July 2016	Inspection of shop minimum pricing	1 line of Polish Beer found to be provided below minimum pricing level
27 th July 2016	Responsible Retailer Scheme	Signed up to scheme
18 th August 2016	Hearing scheduled	Consumer Protection from Unfair trading Regs – possession of illicit alcohol

Recommendations:

This Licensee has clearly demonstrated that there is a breakdown in due diligence in respect to the sourcing of legitimate products to be sold by the business and a failure to pay substantial amounts of Duty to HMRC.

Cigarettes were being sold by the Licensee by his own admission at prices considerably below the Duty rates payable to HMRC.

There is evidence that the Designated Premises Supervisor and Premises Licence Holder Anit PATEL has been involved in serious breaches of the law and has disregarded legal requirements. This gives me severely reduced confidence in his willingness to fulfil his responsibility to promote the licensing objectives or to exhibit the highest standards of management.

The business has received a number of support visits to engage them in responsible trading and encourage them to sign up to the Council's responsible Retailer Scheme. Despite this, illicit goods were found on the premises. Now that the business is facing legal action Mr A Patel has signed up to the scheme.

I would submit that the Committee consider adding the following conditions to the Licence

1. The Premises Licence Holder and Designated Premises Licence Holder shall ensure 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).
2. The Premises Licence Holder and Designated Premises Supervisor shall ensure persons responsible for purchasing alcohol do not take part in any stock swaps or lend or borrow any alcohol goods from any other source unless the source is another venue owned and operated by the same company who also purchase their stock from an authorised wholesaler.
3. The Premises Licence Holder shall ensure all receipts for alcohol goods purchased include the following details:
 - I. Seller's name and address
 - II. Seller's company details, if applicable
 - III. Seller's VAT details, if applicable
 - IV. Vehicle registration detail, if applicable
4. Legible copies of the documents referred to in Condition 3 above shall be retained on the premises and made available for inspection by Police and authorised Council Officers on request.
5. Copies of the documents referred to in Condition 3 above shall be retained on the premises for period of not less than twelve months.
6. An ultra violet light shall be purchased and used at the store to check the authenticity of all stock purchased which bears a UK Duty Paid stamp.

7. Where the trader becomes aware that any alcohol may be not duty paid they shall inform the The Council of this immediately.
8. All tobacco products which are not on the covered tobacco display cabinet shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the store room or behind the sales counter.
9. Tobacco shall only be taken from the covered tobacco display cabinet behind the sales counter in order to make a sale.
10. only products available for retail sale can be stored at the licensed premises.

I also recommend that the Committee consider suspending the Licence for a period of one month.

No conditions have previously been attached by the Licensing Authority.

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

Attached Documents

1. Statement of HMRC Officer HOANG in relation to visit on 14th October 2015
2. Photographs of samples of Goods Seized on 14th October 2015
3. Transcript of PACE interview with Trading Standards on 3rd December 2015

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

--	--	--	--	--	--	--	--

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


Part 3 – Signatures (please read guidance note 4)

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

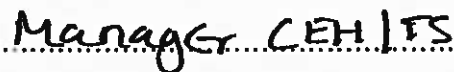
Signature



Date



Capacity



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



Appendix 2 – Section 182 Guidance

- 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 by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

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

Reviews arising in connection with crime

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, 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.

¹⁰ See chapter 15 in relation to the licensing of live and recorded music.

- 11.25** Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26** Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.27** There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of 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 prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
 - for unlawful gambling; and
 - for the sale or storage of smuggled tobacco and alcohol.
- 11.28** It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Appendix 3 – Licensing Policy

- The prohibition of the participation of customers in the performance
- The maintenance of a minimum distance of 1 metre between performer and customers during the performance
- The provision of CCTV and the maintenance of a library of recordings
- A code of conduct for dancers including appropriate disciplinary procedures for failure to comply with the code
- Rules of conduct for customers, including appropriate procedures for breach of these rules
- Procedures to ensure that all staff employed in the premises have pre-employment checks including suitable proof of identity, age and (where required) permission to work
- The provision of supervisors and security staff
- Other necessary steps to be taken, including in the recruitment or supply of performers, is free of the influence or organised criminal activity

78 The sale and possession of smuggled, bootlegged or counterfeit Products and the handling of stolen goods

The guidance to the Act indicates that offences can be committed by certain persons in licensed premises if they allow the sale or supply of smuggled, bootlegged or counterfeit goods on the premises. This is in particular relation to alcohol or tobacco products, but may also include the sale of other counterfeited products such as DVDs and CDs and the handling of stolen goods.

Smuggled – foreign brands illegally brought into the UK

Bootlegged (duty evaded) foreign products brought into the UK in illegal quantities and / or resold in the UK

Counterfeit – Fake goods and packaging. Cheap low quality and often dangerous products packaged to look like premium UK brands

Offences are for selling illicit products but also for employees permitting sales and for employees buying or selling. The Home Office guidance indicates that these offences are taken particularly seriously. To prevent these offences occurring, the licensee should consider taking certain precautions. Advice on this can be obtained from the council's trading standards service.

79 Theft of personal property

Recent analysis of crime statistics has given rise to increasing concern over levels of theft of personal property within licensed premises, especially within the developing northern-western riverside area of the borough. Licence applicants are asked to give consideration to appropriate control measures within their risk-assessments and operating schedules.

Important steps that can be taken to reduce the risk of theft of personal property include:

- Raise the level of awareness among customers of the risk of theft of personal property through crime prevention information. This is especially important within premises where there is a high level of transient, tourist trade
- Provide controlled cloakroom areas
- Provide Chelsea clips under tables
- Ensure all areas of the premises are well lit and able to be observed by staff. Direct staff to observe the customer areas and politely raise with customers when personal belongings are unattended
- Provide and publicise internal CCTV

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Report for: Licensing Sub Committee 15th September 2016

Item number:

Title: Review application against – N17 Lounge- formerly Pride of Tottenham – 614 High Road Tottenham London N17.

Report authorised by : Daliah Barrett-Licensing Team Leader

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

Ward(s) affected: 'TH'

Report for Key/
Non Key Decision: Non Key

1. Describe the issue under consideration

- 1.1 This report relates to an application for the Review of N17 Lounge Premises License by The Enforcement Response Team in their capacity as a Responsible Authority. The operation at the premises has lead to the Prevention of public nuisance not being appropriately managed at the venue.

1.2 Summary of the review received:

- i) The application details a series of noise complaints from the premises over a period of time. Noise complaints continue to be received in relation to The N17 Lounge. Officers view is that the following factors show the premises is not complying with the licensing act objectives and the conditions of the licence:

- Fliers advertising events beyond the permitted hours of the licence.
- Complaints from residents adversely affected by the noise from the premises.

1.3 The full review application from the Enforcement Response Team can be found at Appendix A.

- i) A copy of the current Premises Licence is at Appendix B.
- ii) A copy of letters of representation received in support of the application from RAs at Appendix C
- iii) Copy of letters of representation from Ward Councillor and residents – App C1

1.4 Recommendation

- ii) Powers of a Licensing Authority on the Determination of a Review s11.19
 - a) To modify the conditions of the licence, (which includes adding new conditions or any alteration or omission of an existing condition) for example reducing the hours of opening, or by requiring doors supervisors;

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- b) To 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);
- c) To remove the designated premises supervisor, for example because they consider that the problems are as a result of poor management;
- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence.

2. Background

- 2.1 The premises at 614 High Road Tottenham N17 has operated as a public house and nightclub since July 2010. The licence was granted by the Licensing Sub Committee but with conditions and reduced hours than those Mr Mufwankola had applied for. This was due to the concerns expressed by the Enforcement Response Team relating to the potential for noise nuisance to be a real problem for nearby residents should later hours be granted. This concern was echoed by the ward members and other residents. A copy of the Enforcement Response representation is attached for information at App D

The reduced hours granted to the premises allowed Mr Mwafankola to operate for a period time and attracted a small number of complaints during this time. Mr Mwafankola then applied to vary the licence in 2012, this application went through without being contested.

The increase in hours lead to a series of complaints relating to noise nuisance.

- 2.2 Mr Mr Mufwankola stepped down as DPS 27 Jan 2015 and this role was taken over by a Ms Basrika . Mr Mufwankola remained as the PLH and carried overall responsibility for the operation of the premises.

There was a subsequent transfer and DPS variation on 17th March 2015 to Lisa Nankunda. The Licensing Authority were not aware of Mr Mwafankola not being in charge at the premises and made contact with him following a number of complaints from residents regarding the venue. Mr Mwafankola then transferred the licence to Ms Nankunda as he was not in day to day control of the premises or licensable activity at the time . We are aware that Mr Mufwankola took back the premises from Ms Nankundu and this matter has been subject to a court case between the parties involved.

The premises ceased operation for a period of weeks while Mr Mwafankola attended court. The Licensing Authority was only made aware of this by residents who were happy to see a sign on the premises saying it was now closed.

Mr Mufwankola took back the licence in his name on 10th August 2015. He then named himself in the role of the DPS on 5th October 2015.

A further transfer of the licence was made to a Mr Ilyunga on 12th November 2015. Mr Mufwankola then re-established himself as the premises licence holder on 30th March 2016.

It is fair to say that the premises operating to the current times offering both live and recorded music has caused public nuisance over the years. Whilst Mr Mufwankola may have 'stepped aside' at various periods since 2015 the operation and management of the premises has been the cause for complaints from residents who have been disturbed by noise emanating from the premises. This is further exasperated by the lateness of the hours for the premises in this locality.

3 Licensing Policy

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.

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.

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.

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.

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.

3.1 Licensing hours

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.

3.2 Powers of a Licensing Authority

Powers of a Licensing Authority on the Determination of a Review s11.23

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

- 3.3 The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

4. Other considerations

Section 17 of the Crime and Disorder Act 1998 states:

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

4.1 Human Rights

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

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

5 Use of Appendices

Appendix A- Review application form and supporting Documentation.

Appendix B - A copy of the current Premises Licence is at

Appendix C - A copy of letters of representation received in support of the application from RAs.

Appendix C1- Copy of letters of representation from Ward Councillor and residents

Appendix D- supporting documentation to Licensing Authority representation.

APPENDIX A

REVIEW APPLICATION FORM AND SUPPORTING DOCUMENTS



PUBLIC NOTICE

Notice of Application for the review of a Premises Licence.

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

**N17 LOUNGE – THE PRIDE OF TOTTENHAM
614 HIGH ROAD
TOTTENHAM
LONDON N17 9TB**

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

THE OPERATION OF THE PREMISES HAS FAILED TO UPHOLD THE LICENSING OBJECTIVE OF:

- **THE PREVENTION OF PUBLIC NUISANCE**

That on various days the premises was found to be operating beyond permitted hours which also resulted in noise nuisance to nearby residents .

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

**Lead Officer – Licensing, Haringey Council, Alexandra House, Level 6,
10 Station Road, Wood Green, London N22 7TR.**

By: 31ST AUGUST 2016

The grounds for review and Haringey Councils Licensing register may be viewed by appointment Monday to Friday (except Bank Holidays) at the Licensing Team, Alexandra House, Level 6, 10 Station Road, Wood Green, London, N22 7TR between the hours of 10.00am and 4.00pm.

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



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 Charles Buckle

(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

N17 Lounge (the Pride of Tottenham)
614 High Road
London

Post town London

Post code (if known) N17 9TB

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

Mr-Mpala Mufwankolo

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

LN/000008438

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

I am 18 years old or over

Please tick ✓ yes

☐

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****Charles Buckle****Enforcement Response Officer****6th Floor, Alexandra House****Station Road****London N22 7TR****Telephone number (if any)****020 8489 5238****E-mail address (optional)****charles.buckle@haringey.gov.uk****This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓☐
☐☒
☐

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

The Prevention of Public Nuisance

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

N17 Lounge is a licensed premises, permitted opening times Monday to Wednesday 07.00 to 00.30, Thursday 07.00 to 02.00 and Friday to Sunday 07.00 to 04.00 during which they can sell alcohol and play regulated entertainment on each night finishing 00.30 minutes before closing time.

During their regulated entertainment they have conditions under Prevention of Public Nuisance. Under Sound limits the licensee shall ensure that no music played in the licensed premises which is audible at or within the site boundary of any residential premises. Outside area. No music will be played in, or for the benefit of patrons in external areas of the premises.

On Monday 25th July 2016 at 00.36am as a result of a noise complaint I visited the premises and could clearly hear loud bass music emanating from the premises echoing along the road from 50 yards away up Pembury Road. The level in my opinion was excessive, to be heard so far away, and would in my opinion be a nuisance to local residents. Upon further investigation I discovered a speaker (3'x2') sounding outside in the front garden area of the premises. I spoke to the person in charge and the speaker was turned off and taken inside.

Later at 05.00am to 05.20am I did a pro-active visit to the premises. I parked up in Pembury Road, which is immediately opposite the premises and observed a large number of patrons leaving the premises one hour after its permitted closing time. The noise by these patrons laughing, talking and shouting was in my opinion likely to cause a nuisance to local residents, especially those opposite the premises where people were congregating, which would be about 30 feet from the residents. Also the traffic noise was notably increased by vehicles pulling up to collect patrons and driving away.

As a result of Flyers (attached) advertising events until 05.00am on Sunday 31st July 2016 at 04.30am to 04.45am I again did a pro-active visit. I parked up in Pembury Road and observed some 30 patrons outside talking loudly, and some returning into the premises, no music was audible from outside. However again the noise generated by the patrons outside 30 to 45 minutes after closing, in my opinion was unreasonable and would cause a nuisance to local resident.

On Monday 1st August 2016 at 03.30 to 03.50am as a result of a noise complaint I visited the location. I parked up in Pembury Road and some 50-yards from the premise could hear bass music and voices from 15 to 20 patrons talking and shouting outside. I walked around the premises to establish if any doors or windows were open as the level of music was clearly audible outside. I found no doors or windows open, clearly the music was being played too loud. The music should have finished at 03.30am the music was still playing when I left at 03.50am. In my opinion the noise levels from the music and the patrons outside would have been a nuisance to local residents.

The above visits indicate that the management of the premises does not comply with the licensing condition, in relation to noise levels and closing times, to the detriment of local residents.

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

Please tick ✓ yes

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

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

yes

Please tick ✓

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

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

Part 3 – Signatures (please read guidance note 4)

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

Signature

Date

Capacity

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

LA TEAM MKPROD PRESENTS...

PRIDE OF TOTTENHAM
614 TOTTENHAM HIGH ROAD
LONDON, N17 9TA

11PM - 5AM

£10
OVER 21

EVERY SATURDAY

DJS IN ROTATION:

IGWE / LIL CEE / NODDY / AMIGO

WILL ESIKA MUKENA Presents



£10
OVER 21

SAT 30TH JULY 16

MATRE D'ECOLE

Mixer avec l'Anniversaire de sa Majesty

CHRISTIAN LEMA PAPA SWAGGA

Bientot Nouvel Album: IL EST TEMPS. THIS IS THE TIME

Production: FONDATION WADADA GOUIMME JHON

11pm-5am

PRIDE OF TOTTENHAM
614 TOTTENHAM HIGH ROAD
LONDON, N17 9TA

DJS IN ROTATION:

INVITES:

DJ IGWE * DJ LIL CEE * DJ NODDY * DJ AMIGO

STEVE MBANZA KUKUTCHU, LES PARLEMENTAIRES YA PAPA WEMBA (TILLY NKOM,

MICHAUX DIANGA, DIOJO MUYA, TONY TUENGI GOGANE) & TOUS LES SAPEURS YA VILLAGE



GUEST ARTIST
TIFFANY
DANGWE

WILL ESIKA MUKENA

PRESENTS



SAT
23RD JULY '16
9pm-5am
£10
OVER 21

SEXY SUMMER

SMOKEY 9278 "MOKAMBI"

BIRTHDAY BASH & PERFORMANCES

PRIDE OF TOTTENHAM
614 TOTTENHAM HIGH ROAD
LONDON, N17 9TA

DJS IN ROTATION:

DJ IGWE * DJ LIL CEE * DJ NODDY * DJ AMIGO

GUESTS: CELL DYNASTY, MADDOG, SPECY, QUEEN B

For more Info: 07428626591 / 07438575014

WILL ESIKA MUKENA
PRESENTS

SATURDAYS LAUNCH PARTY

ENTRY £10

11PM - 5AM
SATURDAY 16TH JULY

JOIN US FROM SAT 16 JULY 16
and EVERY SATURDAY thereafter

@ PRIDE OF TOTTENHAM
614 TOTTENHAM HIGH ROAD, LONDON, N17 9TA

DJS IN ROTATION:

DJ IGWE * DJ LILCEE * DJ NODDY * DJ AMIGO

FOR INFO BOYZ / VIP / TABLES: 074 3857 5014

WILL ESIKA MUKENA
Presents



SAPES

COMME JAMAIS

BANK HOLIDAY
SUNDAY 29TH MAY 16

11PM - 5AM

£10 - OVER 21

@ PRIDE OF TOTTENHAM
614 TOTTENHAM HIGH ROAD
LONDON, N17 9TA



**BANK HOLIDAY
SUNDAY
1ST MAY 16
11PM - 5AM
£10
OVER 21**

**SOIREE
243**

CODE YA MBOKA

"Boya to bina mabina ya mboka na biso..." KOZANGA TE

@ PRIDE OF TOTTENHAM

614 TOTTENHAM HIGH ROAD, LONDON, N17 9TA

• La Team MKProd Presents •

LADIES NIGHT OUT

¹³
£10

10PM
TILL LATE



SAT 26 MARCH 16

MIXED WITH **KARINE KAYA** BDAY

@ PRIDE OF TOTTENHAM
614 HIGH ROAD, LONDON, N17 9TA

HOSTED BY WILL MUKENA
TOKO ZELA BINO



shots of TEQUILA for the first 20

JULY 10 2016

FROM 4PM TILL MIDNITE | £5 ENTRY FROM MIDNITE TILL 5AM |
@PRIDE OF TOTTENHAM
| 614 HIGH ROAD TOTTENHAM LONDON N17 9TA |



TEMPTATION ISLAND PRESENTS

BRONDA KAMIKAZE LIVE BAND

WITH
GUEST
ARTISTS



JULY 24 2016

ENTRY FREE FROM 4PM TILL MIDNITE | £5 ENTRY FROM MIDNITE TILL 5AM | VIP TABLES

@PRIDE OF TOTTENHAM

| 614 HIGH ROAD TOTTENHAM LONDON N7 9TA |

| BOOKING TABLE : 07459567276 |



TEMPTATION ISLAND

SUNDAY
3RD JULY

CONGO
INDEPENDENCE DAY

BR
AMBIANCE

DJ NODDY

ENTRY FREE FROM 3PM TILL MIDNITE | ENTRY: £5 | FROM MIDNITE TILL 5AM

BOOKING TABLE 07459567226

@PRIDE OF TOTTENHAM

614 High Rd, London N17 9TA

WWW.FACTBOOK.COM/LATIFAH LA QUEEN



Eubert Malcolm Regulatory Services Manager

Haringey Council

Mr Mpala Mufwankolo
The Pride of Tottenham
614 High Road
Tottenham
London
N17 9TB

Our ref: P&S/RS WK/000264587
Date: 24th November 2014
Contact: Enforcement Response team
Tel: 020 8489 1000
Email: enforcement.response@haringey.gov.uk

Dear Mr Mufwankolo

Re: Abatement Notice - Noise Nuisance
Environmental Protection Act 1990 - Section 80
The Pride of Tottenham, 614 High Road, Tottenham, London, N17 9TB
Type of noise: Loud Music

Complaints have been received on the 9th November 2014 by this Service regarding the level of noise coming from the above address. Observations carried out recently showed that noise coming from the premises was again excessive and a nuisance.

The Noise Abatement Notice that was served on you dated 7th October 2013 remains in effect for as long as you occupy the premises. Therefore, it is your responsibility to comply with the Notice at all times i.e. control the level of noise emitted from your premises so that it does not disturb nearby residents.

I would like to draw your attention to the maximum fine of £5,000 (£20,000 for commercial premises) that can be imposed if you are convicted for failure to comply with the Noise Abatement Notice.

Alternatively the Council may determine that the most appropriate course of action is to impose a fixed penalty notice in the sum of £100 (£400 for commercial premises) or to obtain a Warrant to Enter and seize all equipment that can be used to cause a nuisance from noise.

This Service may institute legal proceedings against you if noise nuisance is witnessed in the future. A copy of the Notice is enclosed for your information. Please do not hesitate to contact me should you wish to discuss this matter further.

Yours sincerely,

Mark Eastwood
Enforcement Response team

Enforcement Response – Regulatory Services
Level 6, Alexandra House, 10 Station Road, Wood Green, London N22 7TR
Tel: 020 8489 1000
Fax: 020 8489 5133
www.haringey.gov.uk/noise



Eubert Malcolm Regulatory Services Manager

Haringey Council

Mr Mpala Mufwankolo
The Pride of Tottenham
614 High Road
London
N17 9TB

Our ref: WK306050

Date: 6th March 2015

Contact: Enforcement Response team

Tel: 020 8489 1000

Email: enforcement.response@haringey.gov.uk

Dear Mr Mufwankolo

Re: Environmental Protection Act 1990 - Section 80

Noise Nuisance: The Pride of Tottenham, 614 High Road, London, N17 9TB

I refer to the Noise Abatement Notice served on you (copy attached). This Notice requires that you should take steps to stop any further noise from the above premises at a level that would cause a nuisance to nearby residents. Observations carried out on 13th December 2015 at 02:39 in response to complaint showed that the noise coming from the above premises was excessive and a nuisance. A Fixed Penalty Notice issued has not been paid.

It appears that you have, without reason, contravened the terms of the Noise Abatement Notice and an offence has been committed (excessive noise on 13th December 2014 at 02:39). The Council may now be instituting legal proceedings against you.

I am therefore requesting that you advise us of any information you wish to be considered before we make a decision as to action which might be taken.

"You do not have to say or write anything but it may harm your defence if you do not mention, when questioned, something which you later rely on in court. Anything you do say or write may be given in evidence".

You may also request, in writing, an interview.

Any further disturbances may be considered as separate offence(s) and may result in seizure of noise-making equipment.

Yours sincerely,

Derek Pearce
Enforcement Response Team

APPENDIX B

COPY OF CURRENT LICENCE

LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG964558

Premises Licence Number: LN/000008438

This Premises Licence has been issued by:

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

Signature:.....

Date: 18th August 2010
Transfer: 4th April 2016

Part 1 – PREMISES DETAILS

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

**N17 LOUNGE
614 HIGH ROAD
TOTTENHAM
LONDON N17 9TB**

Where the Licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the Licence:

Provision of Regulated Entertainment: Live Music (amplified and non amplified) & Recorded Music

Provision of Late Night Refreshment

Supply of Alcohol

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

Live Music & Recorded Music

Monday to Wednesday 1100 to 0000

Thursday 1100 to 0130

Friday to Sunday 1100 to 0330

Amplified music to be played until 30 minutes before closing time on days when live amplified music has been organised.

Provision of Late Night Refreshment

Monday to Wednesday 1100 to 0030

Thursday 1100 to 0200

Friday to Sunday 1100 to 0400

LICENSING ACT 2003
Sec 24

Supply of Alcohol

Monday to Wednesday 1100 to 0000

Thursday 1100 to 0130

Friday to Sunday 1100 to 0330

The opening hours of the premises:

Monday to Wednesday 0700 to 0030

Thursday 0700 to 0200

Friday to Sunday 0700 to 0400

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

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

Part 2

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

Mpala Mufwankolo
614 High Road
Tottenham
London
N17 9TB

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:

Mpala Mufwankolo
614 High Road
Tottenham
London
N17 9TB

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/201000261

Issued by: London Borough of Enfield

Annex 1 –Mandatory Conditions

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

Annex 1 –Mandatory Conditions

- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula –

$$P = D + (D \times V)$$
 Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

Annex 1 –Mandatory Conditions

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

Door supervision

All individual(s) at the premises for the purpose of carrying out a security activity must

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act

Annex 2 – Conditions consistent with the Operating Schedule

Staff will be made aware of, and actively promote, all four licensing objectives.

THE PREVENTION OF CRIME AND DISORDER

The premises will install and maintain a CCTV system.

CCTV is to be made available at the request of the police and other authorities and recordings must be kept for 30 days.

The premises will use registered security officers.

The premises will refuse to sell alcohol to anyone appearing to be drunk or disorderly and these people shall be removed from the premises.

The premises will work with the local authority, police, and the community.

Security Industry Registered door staff to be employed at the premises from 2000 until close when regulated entertainment is taking place.

On Tottenham Hotspur Football Club Match Days:

- Premises not to open for the sale of alcohol before 11.00 on Saturday and Sunday.
- All drinks dispensed from the bar are poured into plastic containers—4 hours before the scheduled kick off time until 1 hour after the end of the match.
- No glass bottles are sold over the bar—4 hours before the scheduled kick off time until 1 hour after the end of the match.
- A minimum of two Door Staff who have been approved by the Security Industry Authority to be employed on the premises to control the entry and exit of customers—4 hours before the scheduled kick off time until 1 hour after the end of the match.

PUBLIC SAFETY

The premises will co-operate with the local authority and the police.

THE PREVENTION OF PUBLIC NUISANCE

The premises shall be mindful as to the possibility of noise nuisance.

Customers leaving the premises after 11pm shall be supervised and directed to a different gate.

Signage will be displayed requesting that customers leave the premises quietly.

Regulated entertainment shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.

Prevention of nuisance from noise / vibration

All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas

Entry to the premises will be restricted to one main entrance door to the front of the premises whilst the premise is being used for regulated entertainment licensed activity.

Annex 2 – Conditions consistent with the Operating Schedule

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

Structure borne noise

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

Sound limits

The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property

Outside Areas

No music will be played in, or for the benefit of patrons in external areas of the premises.

Signs shall be displayed in the external areas/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours

The number of persons permitted to utilise the terraced areas will be restricted to 5 persons at any one time.

The terraced area and conservatory may be used during the hours that alcohol is supplied.

Deliveries and collections

Deliveries and collections associated with the premises will be arranged between the hours 8 am and 8 pm so as to minimise the disturbance caused to the neighbours

Glasses will be collected from the terraced areas immediately after it shuts and no later, thereby preventing passersby access to any glasses left outside, and to prevent any neighbours in close proximity being unduly disturbed by noise of staff clearing up late at night.

Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed

Plant and machinery

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

Dealing with complaints

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

Regular six monthly liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities

Patrons entering/exiting premises

Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner

Annex 2 – Conditions consistent with the Operating Schedule

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

Door supervisors

Door supervisors (minimum of one inside and one outside the premises) are required to be on duty from 20:00hrs until closing to ensure noise from patrons is kept to a minimum and that any anti social behaviour is prevented, thereby ensuring the nearby residents are not unduly disturbed and that patrons inside the premises behave in a safe and satisfactory manner, ensuring proper health and safety controls for all persons inside the premises.

When the premises turn out a licensed door supervisor shall supervise patrons and ensure the leave in a prompt and courteous manner, respecting the neighbours

A licensed door supervisor will be positioned on the exit door to ensure, as far as reasonably practical, that patrons do not leave with drinks

A licensed door supervisor will patrol the curtilage of the premises to prevent patrons urinating in public areas in the vicinity of the premises

Prevention of nuisance from odour

All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour

Prevention of nuisance from light

Illuminated external signage shall be switched off when the premises is closed

Security lights will be positioned to minimise light intrusion to nearby residential premises

THE PROTECTION OF CHILDREN

The premises will operate the Challenge 21 policy.

Experienced staff will be employed and there will be ongoing staff training.

After midnight those under the age of 16 must be accompanied by an adult.

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

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

The premises will keep a refusals log book to record the details of the individual(s) who were refused alcohol because of lack of identification or identifications indicating that the individual is under age.

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

RESOLVED

The Committee (2010) decided to grant the application but only on a more restrictive basis and subject to a number of conditions in order to promote the licensing objectives.

Opening Hours: Monday to Thursday 07:00 to 00:30 the following day
Friday and Saturday 07:00 to 02:00 the following day
Sunday 07:00 – 00:00

Supply of Alcohol from 11am until half an hour before closing time

Provision of late night refreshment is granted as requested but must cease at closing times.

Live instrumental, non-amplified music may be played during the hours that alcohol is served but no other regulated entertainment is permitted. Non-amplified background music may be played.

All the conditions proposed in the operating schedule are to be imposed.

All of the conditions proposed by the noise team are to be imposed with the exception of the operating hours and the terrace area and conservatory which may be used during the hours that alcohol supply is permitted and restricted to 5 persons at any one time. Where these contradict the applicant's proposals, the noise team's conditions take precedence.

The conditions proposed by the police to prevent underage sales and relating to "match days" are imposed as is the Child Protection Agency Nominee's proposal to keep a refusals log book.

The premises licence shall only take effect once the Applicant has received written confirmation by the Licensing Authority that the aforementioned conditions have been met to its satisfaction.

CCTV is to be made available at the request of the police and other authorities and recordings must be kept for 30 days.

All parties are reminded if the licensing objectives are compromised the license can be reviewed

Annex 4 – Plans

LODGED WITH LICENSING AUTHORITY

APPENDIX C

**COPY OF LETTERS OF REPRESENTATIONS FROM RESPONSIBLE
AUTHORITIES**

Shah Noshaba

From: Mark.L.Greaves@met.pnn.police.uk
Sent: 24 August 2016 11:20
To: Licensing
Cc: Barrett Daliah
Subject: RE: Application for a Review of a Premises Licence: N17 Lounge - The Pride of Tottenham, 614 High Road, Tottenham, N17 9TB (WK/360749)
Attachments: Pride of Tottenham 23rd July.jpg; Pride of Tottenham 24th July.jpg; Pride of Tottenham 30th July.jpg; Pride of Tottenham Saturdays.jpg

Dear Mrs Barrett

On Thursday 18th August 2016 at 1230 I attended N17 Lounge, Pride of Tottenham, 614 High Road N17. The venue is under Review for noise issues. I attended by appointment to meet Licensee / DPS Mr Mpala Mufwankolo. I showed him 4 flyers relating to events at his venue until 0500 on 23rd, 24th & 30th July and every Saturday, attached. His venue is licensed for live / recorded music until 0330 and closes at 0400. He told me the flyers were wrong and the events ended at 0400. A Condition on his Licence under Prevention of Crime & Disorder states CCTV must be kept for 30 days so all the days on these flyers should be available to see what time venue closed. I gave him all 4 flyers which he kept. We checked CCTV but it only held footage between the 10th and 18th August so no events on the flyers were available to view. I pointed out the Condition and was told the Police took his 2 x 1 Terabyte hard drives after the Tottenham riots, which is true. He got a new CCTV system with a 2 terabyte hard drive but it has only been programmed to store 9 days of footage, which he states he was not aware of. I pointed out the Tottenham riots were 5 years ago and he must have realized the new CCTV system was not programmed to retain recordings for 30 days and 2 terabyte hard drive was enough for at least 30 days. He assured me the system would be reprogrammed for 30 days.

We looked at 13th and 14th August and the venue closed on time. We discussed the noise concerns relating to his clientele and their leaving venue at end of events and loitering outside making noise. He told me they were Africans whose culture was to loiter outside such venues all night talking loudly and when he tries to move them along they become abusive / threatening. I agreed other venues were having the same problems with a similar clientele. He told me keeping them in the venue until 0600 – 0800 would be better as neighbours would be awake by then. I pointed out that it was the African dance events that were attracting the clientele that were causing the concerns and he was aware of this but he continues to have these events for financial reasons when he knows he cannot control the clientele attracted when they leave venue resulting in noise nuisance.

Regards

Mark Greaves

Mark Greaves PC 164YR
Licensing / CPDA / Crime Prevention
Haringey Borough Police

Tel: 020 3276 0150

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If Printed please remember to dispose of as Confidential Waste

From: Shah Noshaba [mailto:Noshaba.Shah@haringey.gov.uk] **On Behalf Of** Licensing
Sent: 04 August 2016 16:53

Cc: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>; Anderson Chanel <Chanel.Anderson@haringey.gov.uk>
Subject: Application for a Review of a Premises Licence: N17 Lounge - The Pride of Tottenham, 614 High Road, Tottenham, N17 9TB (WK/360749)

Dear RA's

Please find attached a copy of a Premises Licence Review for N17 Lounge - The Pride of Tottenham, 614 High Road, Tottenham, London, N17 9TB

Please note the last day of consultation is 31st August 2016.

Please forward all responses to licensing@haringey.gov.uk

Kind regards

Noshaba Shah
Licensing Officer



Haringey London
Licensing Team, Alexandra House, Level 6, 10 Station Road, Wood Green, London, N22 7TR
T. 020 8489 5536
noshaba.shah@haringey.gov.uk

www.haringey.gov.uk
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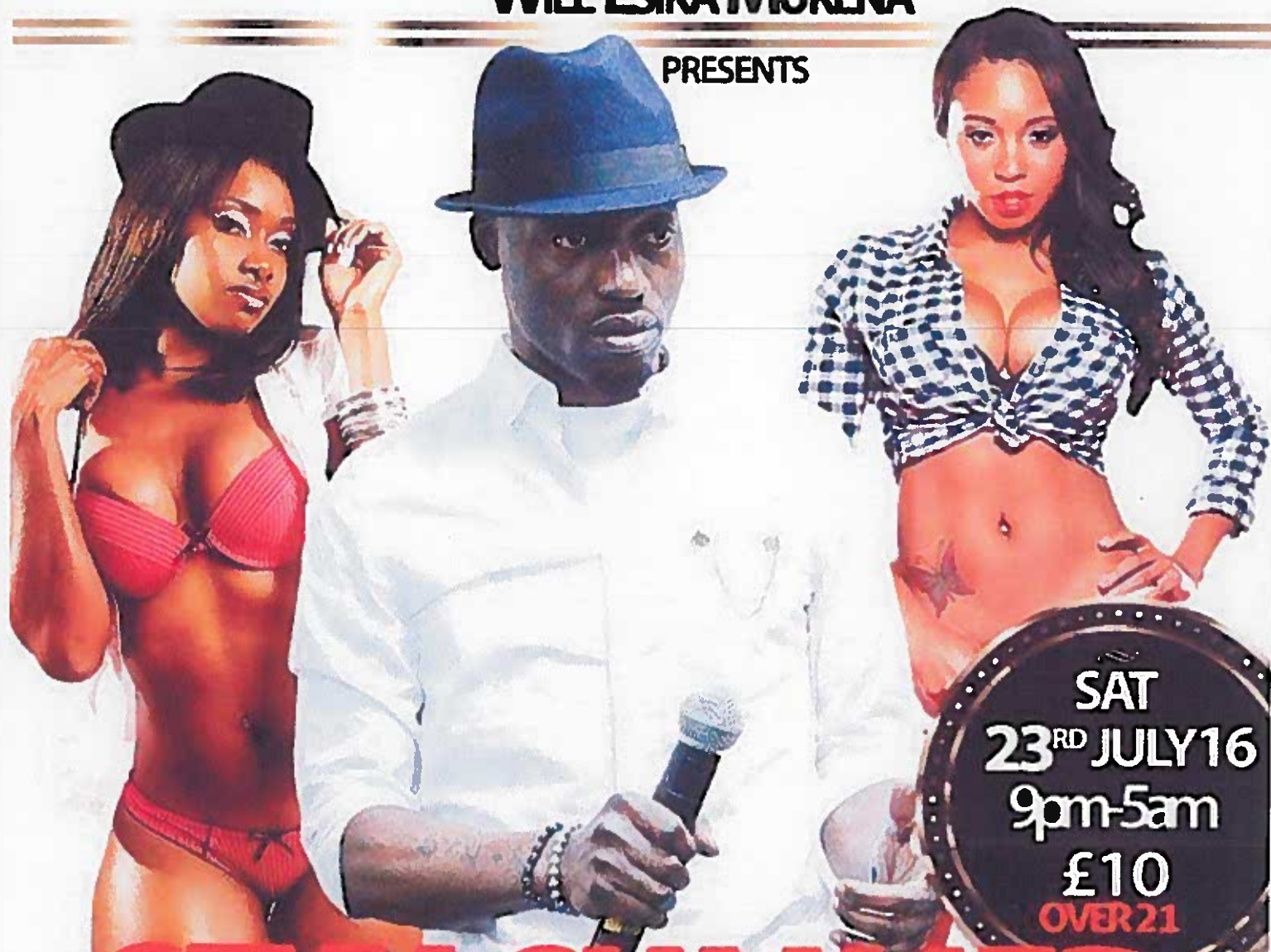
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Page 75
Will ESIKA MUKENA

PRESENTS



SEXY SUMMER

SMOKEY 9278 "MOKAMBI"

BIRTHDAY BASH & PERFORMANCES

PRIDE OF TOTTENHAM
614 TOTTENHAM HIGH ROAD
LONDON, N17 9TA

DJ'S IN ROTATION:

DJ IGWE * DJ LIL CEE * DJ NODDY * DJ AMIGO

GUESTS: CELLI DYNASTY, MADDOG, SPECY, QWEEN B

For more info: 07428626591 / 07438575014

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WITH
GUEST
ARTISTS

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JULY 24 2016

ENTRY FREE FROM 4PM TILL MIDNITE | £5 ENTRY FROM MIDNITE TILL 5AM | VIP TABLES

@PRIDE OF TOTTENHAM

| 614 HIGH ROAD TOTTENHAM LONDON N17 9TA |

| **BOOKING TABLE :07459567276.** |

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SAT 30TH JULY 16

£10
OVER 21

MATRE D'ECOLE

Mixer avec l'Anniversaire de sa Majesty
CHRISTIAN LEMA PAPA SWAGGA

Bientot Nouvel Album: IL EST TEMPS. THIS IS THE TIME
Production: FONDATION WADADA GOLI MME JHON

11pm-5am

PRIDE OF TOTTENHAM
614 TOTTENHAM HIGH ROAD
LONDON, N17 9TA

DJS IN ROTATION:

INVITES: DJ IGWE * DJ LIL CEE * DJ NODDY * DJ AMIGO

STEVE MBANZA KRUKUTCHU, LES PARLEMENTAIRES YA PAPA WEMBA (TELLY NKONYI,
MICHAUX DIANGA, DJODJO MUJA, TONY TUENGI GOGANE) & TOUS LES SAPEURS YA VILLAGE



GUEST ARTIST:
TIFFANY
DANGWE

LA TEAM MKPROD PRESENTS...

PRIDE OF TOTTENHAM

614 TOTTENHAM HIGH ROAD

LONDON, N17 9TA

11PM - 5AM

£10

OVER 21

EVERY SATURDAY

DJS IN ROTATION:

IGWE/ LIL CEE/ NODDY/ AMIGO

Barrett Daliah

Subject: FW: PRIDE OF TOTTENHAM REVIEW REPRESENTATION

Subject: FW: PRIDE OF TOTTENHAM REVIEW REPRESENTATION

Dear Sirs,

The Licensing Authority is making representation in regard to the application for the Review of The Pride of Tottenham.

The Licensing Authority has considered the conduct and management of the premises and wish to bring the following information to the attention of the Licensing Sub Committee in connection with this matter.

Mr Mufwankolo initially applied for a Premises Licence in July 2010. The licence was granted by the Licensing Sub Committee but with conditions and reduced hours than those Mr Mufwankola had applied for. This was due to the concerns expressed by the Enforcement Response Team relating to the potential for noise nuisance to be a real problem for nearby residents a copy of the representation is attached at Appendix D. The hours granted were:

Monday- Thursday 7am – 0030
 Friday and Saturday 7am -2am
 Sunday 7am- 0000.

It should be noted that while the premises operated under these hours the Enforcement Response Team received 2 complaints from residents relating to noise nuisance emanating from the premises.

Mr Mufwankola then applied to vary the licence in 2012 . He sought later hours and was granted the times requested as there were no representations against the variation at the time.
 The new and current times are:

Live Music & Recorded Music

Monday to Wednesday	1100 to 0000
Thursday	1100 to 0130
Friday to Sunday	1100 to 0330

Amplified music to be played until 30 minutes before closing time on days when live amplified music has been organised.

Provision of Late Night Refreshment

Monday to Wednesday	1100 to 0030
Thursday	1100 to 0200
Friday to Sunday	1100 to 0400

Supply of Alcohol

Monday to Wednesday	1100 to 0000
Thursday	1100 to 0130
Friday to Sunday	1100 to 0330

The opening hours of the premises:

Monday to Wednesday	0700 to 0030
Thursday	0700 to 0200
Friday to Sunday	0700 to 0400

Since the increase in hours which was granted in September 2012, there have been 13 complaints from February 2013 through to December 2013. A further 11 complaints were received in 2014. Clearly the later hours were impacting on residents in terms of public nuisance.

In 2015 there was a fall in complaints to 6 for the year but in 2016 this increased to 13 so far this year.

Mr Mufwankola stepped down as DPS 27 Jan 2015 and this role was taken over by a Ms Basrika . Mr Mufwankola remained as the PLH.

There was a subsequent transfer and DPS variation on 17th March 2015 to Lisa Nankunda- we are aware that Mr Mufwankola took back the premises from Ms Nankundu and this matter has been subject to a court case.

The licence was then transferred back into Mr Mufwankolas' name on 10th August 2015.

Mr Mufwankola then took back the role of the DPS on 5th October 2015.

A further transfer of the licence was made to a Mr Ilyunga on 12th November 2015.

Mr Mufwankola then re-established himself as the premises licence holder on 30th March 2016.

It is fair to say that the premises operating to the current times offering both live and recorded music has caused public nuisance over the years. Whilst Mr Mufwankola may have 'stepped aside' at various periods since 2015 the operation and management of the premises has been the cause for complaints from residents who have been disturbed by noise emanating from the premises.

The Licensing Authority has received a number of complaints from residents affected by late night /early morning noise at the premises.

The current conditions of the licence requires that noise from the premises should not be heard in the nearest residential property, the fact that residents surrounding the venue can hear noise both music and people noise points to this condition not being met by the licence holder.

The operation of the venue into the early hours of the morning is having an adverse effect on those living nearby. The Licensing Authority support the Enforcement Response request to the LSC to consider a reduction in the hours of the licence. Mr Mufwankola has suggested in his meeting with the Police Licensing officer that he be given an increase in hours so as to allow his customers to remain within the venue enjoying longer drinking and entertainment and are then able to leave the premises at 8am in the morning once residents are awake. This is not a viable suggestion and would seem to go against any reasonable consideration.

The LSC is asked to consider if the current hours of operation are appropriate for the venue.

Licensing Authority
Community Safety & Regulatory Services

Haringey Council
6th Floor, 10 Station Road, London, N22 7TR

T. 020 8489 8232
Licensing@haringey.gov.uk

www.haringey.gov.uk
[twitter@haringeycouncil](https://twitter.com/haringeycouncil)
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APPENDIX C1

COPY OF LETTERS OF REPRESENTATIONS FROM OTHER PARTIES

INCLUDES CCTV FOOTAGE

Barrett Daliah

From: _____
Sent: 31 August 2016 16:42
To: Licensing
Subject: review hours of the Pride of Tottenham

I wish the licensing of the pride / barber shop to be reviewed. Both of those establishments is antisocial. There were fights on the 27th /28th August and every weekend for the last year. I live above the Pride with my two children.
My address is:

My name is _____

Sent from Yahoo Mail on Android

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Anderson Chanel

Subject: FW: Pride of Tottenham - Nuisance to the area

From: Cllr Reith Lorna

Sent: 31 August 2016 18:53

To: Barrett Daliah; Cllr Rice Reg

Cc: Cllr Ahmet Peray; McDonnell Stephen; Anderson Chanel; Peray Ahmet; McBride Joe; Cllr Carroll Vincent; Malcolm Eubert; Buckle Charles; Pearce Derek

Subject: RE: Pride of Tottenham - Nuisance to the area

Dear Daliah

I have been contacted by a local resident, Mr _____, of _____, who is disabled and dyslexic so is not able to write a representation himself and he has asked me to do so on his behalf. He lives near to the Pride of Tottenham and is constantly disturbed by patrons of the club late at night. He makes the following points:

1. Patrons park on the pavements in the vicinity of _____, who uses two crutches and has difficulty getting past cars on the pavement.
2. Patrons leave the club in groups throughout the night and congregate outside _____ home where their cars are parked. _____ complains of loud, noisy conversations, drunkenness and loud music from cars as well as car doors being slammed shut. This is at 2 and 3am with Sunday night being the worst.
3. _____ has tried to raise the matter with the manager of the premises but found him obstructive and unhelpful.

Although _____ has no complaint about noise from inside the premises it is clear that the manager is not prepared to take any responsibility for the behaviour of his customers and this is causing unacceptable nuisance to local residents.

Can you ensure that this representation is presented to the Committee?

If you need to speak to _____ to confirm his number is _____

Many thanks

Lorna

Councillor Lorna Reith (Labour)

Tottenham Hale ward

Haringey
LONDON

DATA PROTECTION: I will treat as confidential any personal information you give me. However, I will allow authorised Council staff to see the information if this is needed to help and advise you and may pass all or some of this information to those council staff if this is necessary to help your case.

I may wish to write/email you from time to time to keep you informed about local issues that you may find of interest. Please let me know if you do not wish to be contacted in this way.

Barrett Daliah

From: [REDACTED]
 Sent: 31 August 2016 00:39
 To: Licensing
 Subject: RE : Pride of Tottenham ***** Late Night Opening Hours associated with Antisocial behaviour and hellish living conditions*****

Attachment available until 30 Sep 2016

The pride of Tottenham (although 99.9% of neighbours would agree its name does not justify its existence) late night opening hours has brought about a diminished , woeful, unimaginably deplorable and an almost unbearable quality of life to myself and my 4 kids and surrounding residents in general . For a start, I would like to point out that the establishment in question (Pride of Tottenham)..... does **NOT** operate as a pub but as a **night club** and is a chosen venue for late night events and after parties carrying on till 6AM every weekend completely depriving ALL residents of a VERY basic and fundamental God given right called **SLEEP & PEACE !!!!!!!!**

Over the past few years I have suffered and endured a ton and barrage of abuse from drunken and unruly revellers (typically between the hours of 2AM - 5AM turning up in convoys) when the noise had been unbearable and I had kindly requested the drunken revellers to keep their voices down or turn down the music in their cars as my kids had been awoken time and time again almost every weekend as a result of the revellers antisocial behaviour. To add insult to injury the block of flats I live in (2- 12 Scotland Green) has been turned into a **urinal** by the drunken revellers who prefer easing themselves outside & around the premises of the club , thus when I walk out with my kids in the morning they actually have to walk through paddles of other people's toxic bio hazards which makes me extremely angry and exasperated to say the very least and not to even mention the stench of urine in the neighbourhood.

I live in [REDACTED] , My bedroom shares a wall directly with the club (Pride of Tottenham), thus on weekends (Friday – Sunday Night) it's almost impossible to get a wink of sleep due to the loud and unbearable levels of noise from the club and the banging of loud music. Over the years I have made countless call outs both to Haringey Noise Control Team & the police. The Haringey Noise Control Team showed up every time I called up in respect to loud music/ noise from the club. One a few occasions the Haringey Noise Control Team spent 10 – 15mins in my room observing the loud noise of music from the club and admitted it was completely illegal and not acceptable on any level as the club is not licensed to play loud music. One every single occasion the Haringey Noise Control Team went to the club to speak to the owner and requested him to turn down the music , as soon the Haringey Noise Control Team had left the premises the owner turns the music back to full blast and the nightmare begins all over again. It's completely evident that the landlord/ owner has zero regard / respect for the licencing laws governing the pub and does as he pleases.

The club owner has very little / neither respect nor regard for the neighbouring residents/ community as the torture and antisocial behaviour we have been put through over the years has been unimaginable and inhumane for a lack of a better expression. The owner now lives on the premises and treats it like his home.

The Pride of Tottenham is a pub and should have its hours restricted to **2300hrs as all pubs** and not any later as the premises conjoins into a residential area and creates a living hell for many families in the community and a breeding ground for antisocial behaviour especially on the weekends.

I am hoping this appeal will be granted to at least help improve the fundament and basic human rights for me and my 4 kids who are deprived of any sleep or normal living conditions on the weekend and far beyond.

I am hereby attaching a few videos captured on my phone from my bedroom window as evidence less than 48hrs ago on 28th Aug. 2016 @ approximately 03.45AM to be precise so you can understand the gravity of the antisocial behaviour this pub/club brings into the community. In one of the videos it can be also seen that the police had to attend to an incident on the premises on the given day.

Name :

Address :

Phone #

Click to Download

My Movie 1 - Small.mov
30.5 MB

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22.08.16

To whom it may concern

I am one of the residence who would like to remain anonymous, I have been affected by the terrible noise of outside the Pride of Tottenham, 4.30am - 6.30am in the morning waking up persons from their sleep, it seems like the owner doesn't care about the persons around him, they make loud ^{noise} ~~noise~~ with their voices instead of trying to go home and sometimes music is still playing inside very loud too. I am very happy once you review the hours of Pride of Tottenham.

Thank you

HARINGEY COUNCIL LICENSING RECEIVED
24 AUG 2016

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

To The lead officer

I am a tenant that has to
put up the noise from the Pub
of Tottenham Pub every weekend
I have phoned the noise team
loads of times, The Pub does
not close until 6:30am on a
Monday morning and has the
rest of the weekend. Until now
no one has ever known when
the licence has been up for
~~Review~~ Review

Thankyou.

[REDACTED]

Anderson Chanel

From: [REDACTED]
Sent: 17 August 2016 16:24
To: Licensing
Subject: The pride of tottenham

Categories: Purple Category

Hello

I'd like to lodge a response to the public notice about the pride of Tottenham – it's currently open until 4am but often beyond this time still seems to be open. I often do not comfortable walking past because of the people out on the street.

We often have drunk people walking down our road in the early hours of the morning. In the summer this is particularly problematic as it keeps us awake when we have the windows open. Not all of this can be attributed to that pub but I don't think it helps as it's quite close to our house and it doesn't keep to it's licencing hours. I also don't think its suitable to have pubs open to those hours (4am) in a residential area.

Please can you let me know if I need to submit my personal details as well?

Many thanks

[REDACTED]

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Anderson Chanel

From: [REDACTED]
Sent: 20 August 2016 12:58
To: Licensing
Subject: Fwd: The council Pride of Tottenham licensing
Categories: Purple Category

----- Forwarded message -----

From: [REDACTED]
Date: Saturday, 20 August 2016
Subject: The council Pride of Tottenham licensing
To: licensing@haringey.gov.uk

[REDACTED]

This pub's customer gathering up outside peoples houses, street drinking till late, being very rowdy and have inconsiderate behaviour. I find this noise pollution and anti-social behaviour very intrusive in the evening and resident people are usually unable to sleep because of distrees, furthermore they block the pavement pathway with their cars causing hassle to get through.

I requets. I would like to you do not give any more licence this pub please

Many Thanks,
[REDACTED]

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Anderson Chanel

From: [REDACTED]
Sent: 20 August 2016 16:57
To: Licensing
Subject: Pride of Tottenham

Hello

My name is [REDACTED], I reside at [REDACTED]

I would like to remain anonymous with regards to this feedback.

The customers of the Pride of Tottenham are very inconsiderate. We consistently get woken up early hours of the morning at the weekend as they exit the pub, they park outside our property and speak very loud and do not have any respect for the residents here. We have a young child and this is constantly waking her up. They sometimes put loud music from their cars and continue drinking and chatting loudly. It attracts all sorts of unsavoury characters with suspicious activities late at night.

It would be more beneficial for the area for the pub to continue establishing itself as a family destination for Tottenham matches as opposed to opening late at night.

Many thanks

[REDACTED]

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Barrett Daliah

From: [REDACTED]
Sent: 31 August 2016 23:23
To: Licensing
Subject: Affected by Pride of Tottenham Pub

Hello,

Thank you for this opportunity given to me to report how the above pub has affected our daily lives. Most nights we have our sleep disturbed by the noise coming from the Pride of Tottenham pub. The noise is usually as a result of the loud music through the nights usually most Fridays through Sundays. You hear people from the pub talking loudly and most of the time fighting and this happens close to our bedroom windows.

My bedroom window is almost opposite the pub. It has become almost common that the nights of Thursdays, Fridays, Saturdays and Sundays are unbearable.

On Mondays I'm supposed to be sharp at work following a weekend. However it is completely opposite for me because of having weekends of disturbed nights sleep.

I have a child in primary school whose sleep is also affected through the nights due to the noise from the pub and the customers.

This is really affecting my work performance and the performance of my child at school and it is not fair! This could lead to me losing my job.

I'm sure I'm not the only one that is affected by this.

I hope you look seriously into this issue and resolve it.

Thanks .

Yours Haringey resident.

Sent from my Samsung Galaxy Note III - powered by Three

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APPENDIX D

COPY OF ORIGINAL REPRESENTATION FROM ENFORCEMENT RESPONSE.

APPENDIX 3

Licensing Consultation - Internal Memo

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation: Mark Eastwood

cc: Service Manager Enforcement Response, Mr Eubert Malcolm

Our Reference: WK/000163349

Date: 2nd August 2010

Premises: Savannah's Pleasure Cafe, Bar & Rest, 614 High Road, Tottenham, London, N17 9TB

Type of application: New

I would like to confirm that I have considered the above proposal with regard to the prevention of public nuisance on behalf of the Enforcement Response (Noise) Team & would like to make representations to the Application

The operating schedule does not address the prevention of public nuisance from:

- airborne entertainment noise
- Structure borne noise or vibrations from entertainment
- Noise generated by patrons in external areas of the premises e.g. terrace or conservatory
- Noise generated from patrons queuing to enter
- Noise from patrons exiting the premises
- Noise generated from deliveries
- Noise generated from refuse collections
- Noise from plant and machinery
- Light nuisance
- Cooking odour
- Litter nuisance

The proposed operating hours are inappropriate due to the close proximity of residential dwellings. There is a block of flats attached to the rear and sharing a party wall with the premises, and a large block of flats facing the premises on the opposite side of the main road.

The impact of music and noise of people coming and going to the premises through the night would be considerable, and would likely prevent nearby residents from sleeping. Prolonged, continuous or repetitive lack of sleep can have a very serious effect on

people, impacting on work, personal relationships and social behaviour and is a very serious concern in relation to this application.

The noise caused by patrons exiting the premises and locating suitable transport home is also likely to be detrimental to the residential amenity.

Supporting Information



Front of property viewed from opposite side of the road. Note, at the rear, a new build block of flats rising above the premises.



Side view of premises, see block of flats attached to premises on left hand side of picture.



View of front of block of flats that share party wall with the premises subject to the application. It appears to have four domestic residential units in the block.



View of block of flats and premises showing party wall.



View of premises showing large block of flats on opposite side of the road.



Millicent Fawcett Court, a large block of flats opposite the premises concerned. There are in excess of 20 flats that would be directly affected by noise from the concerned premises.



Other properties to the right of the premises concerned.

If the sub-committee were to grant this application then we would recommend the following alterations/conditions to the operating schedule:

Operating hours

That the premises close no later than **23:30hrs Sunday to Thursday and 00:30hrs Friday and Saturday.**

That regulated entertainment ceases thirty minutes prior to closing time i.e. 23:00hrs Sunday to Thursday and 00:00hrs (midnight) Friday and Saturday.

That provision of late night refreshment and the supply of alcohol cease 30 minutes before closing time (as above)

Reason: to protect the nearby residents from unwanted noise nuisance caused by music, and noise from patrons of the premises. The supply of alcohol stopping 30 minutes before closing time will allow customers a 30 minute "drinking up time"

Prevention of nuisance from noise / vibration

All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas

Entry to the premises will be restricted to *one main entrance door to the front of the premises* -whilst the premises is being used for regulated entertainment licensed activity

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

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

Structure borne noise

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

Sound limits

The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property

All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager

The level of amplified regulated entertainment shall be controlled by means of limiting device set at a level which upon request may be agreed with the licensing authority

Outside Areas

No music will be played in, or for the benefit of patrons in external areas of the premises

No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises

Signs shall be displayed in the external areas/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours

The number of persons permitted to utilise the terraced areas will be restricted to **5 persons at any one time**

The terraced area and conservatory will be closed and patrons requested to come inside the main structure of the premises at **22:30hrs** to prevent any noise escaping the premises and affecting nearby residents, because it is unlikely that a conservatory or open terrace can be effectively sound proofed to prevent noise escaping.

Deliveries and collections.

Deliveries and collections associated with the premises will be arranged between the hours **8 am and 8 pm** so as to minimise the disturbance caused to the neighbours

Glasses will be collected from the terraced areas immediately the area is closed i.e. 22:30hrs and no later, thereby preventing passers by access to any glasses left outside, and to prevent any neighbours in close proximity being unduly disturbed by noise of staff clearing up late at night.

Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed

Plant and machinery

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

Dealing with complaints

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

Regular **six monthly** liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities

Patrons entering/exiting premises.

Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner

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

Door supervisors

Door supervisors (minimum of one inside and one outside the premises) are required to be on duty from 20:00hrs until closing to ensure noise from patrons is kept to a minimum and that any anti social behaviour is prevented, thereby ensuring the nearby residents are not unduly disturbed and that patrons inside the premises behave in a safe and satisfactory manner, ensuring proper health and safety controls for all persons inside the premises.

When the premises turn out a licensed door supervisor shall supervise patrons and ensure the leave in a prompt and courteous manner, respecting the neighbours

A licensed door supervisor will be positioned on the exit door to ensure, as far as reasonably practical, that patrons do not leave with drinks

A licensed door supervisor will patrol the curtilage of the premises to prevent patrons urinating in public areas in the vicinity of the premises

Prevention of Nuisance from Odour

All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour

Prevention of nuisance from light

Illuminated external signage shall be switched off when the premises is closed

Security lights will be positioned to minimise light intrusion to nearby residential premises

1. Introduction

The Licensing Act 2003

- 1.1 The Licensing Act 2003 (referred to in this Guidance as the 2003 Act), its explanatory notes and any statutory instruments made under it may be viewed online at www.legislation.gov.uk. The statutory instruments include regulations setting out the content and format of application forms and notices. The Home Office has responsibility for the 2003 Act. However, the Department for Culture, Media and Sport (DCMS) is responsible for regulated entertainment, for which there is provision in Schedule 1 to the 2003 Act (see Chapter 15).

Licensing objectives and aims

- 1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 1.3 The licensing objectives are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.
- 1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work.

They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

- 2.15 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.16 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.17 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.18 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.19 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.20 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Maintenance and repair

- 2.10 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

- 2.11 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.12 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.
- 2.13 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

Public nuisance

- 2.14 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be

¹ S 177 of the 2003 Act now only applies to performances of dance.

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.
- 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.

- 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 by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, 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.

¹⁰ See chapter 15 in relation to the licensing of live and recorded music.

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Appendix E – response from licence holder

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Anderson Chanel

Subject: FW: Proposal and requests for N17 Lounge 'Pride of Tottenham

From: J'Niche M.Mpala MUFWANKOLO
Sent: 02 September 2016 12:17
To: Barrett Daliah
Cc: Mark.L.Greaves@met.pnn.police.uk
Subject: Proposal and requests for N17 Lounge 'Pride of Tottenham

Dear Madam, dear Sir,

I refer to my interview with Ms Barret in regards with the prevention of public nuisance at the N17 Lounge- Pride of Tottenham.

I understand the frustration that this has caused to my nearby neighbours coming from customers while leaving the premises, or those standing outside because they have been refused entry and hanging around.

Putting myself to my neighbours position, I sincerely would to apologise.

It is not comode to see at an early hour of the morning, and this outside your window, door, or your residence, people shouting, screaming, laughing, talking loud, playing music for their car, pressing horns of vehicles or arguing. This kind of attitude is unacceptable, intolerable and out of good image within community or society.

It has come out that most of them are doing this behaviour intentionally to spoil image of the business and to to give a bad reputation to me and my Entreprise.

Dear Madam, Dear Sir,

I have been a Justices licensee in the London Borough of Haringey since 1994.

I have operate "The Rose and Crown Pub" at 344 High Road, Tottenham N15-4BN,

"The Savannah Night Club" formerly "Charlie Brown " at the same address with a capacity of 500 heads,

Also, on Saint Loy's N17, I was a licensee of the African Queen Restaurant.

I have operate the said businesses within the Borough with no complaints, exercising my best near Miss Charlotte Small, Geoff Parker, and others , of the licensing police authorities side, or Mrs Silverio for the borough side (Trading Standards).

I have works jointly with the Haringey building control (late Mr Riner, or Mr Chennier) to comply with requirements.

When I approached you, Madam, requesting a licence to be granted to the pride of Tottenham then called Savannahs Pleasures, conditions was imposed to the license and I exercised my best to comply with requirements imposed, and this license was granted till 2am Friday Saturday and Sunday.

During the Riot, I have massively assisted the police to arrest rioters in Haringey with my 16 cctv cameras.

The Police collected my hard drives that had a 6 months recording capacity.

I was invited to the House of common selected committee with Theresa May and David Lammy to express about what I went through. My cctv hard drive was kept then by Scotland Yard to obtain evidence to arrest rioters who promoted crime and disorder within the community.

In the David Lammy's book, 3 chapters are describing me and what I went through.

Dear Madam, Dear Sir,

After this period of the Riot, I requested that my licence be extended from 2am to 4am.

This was granted.

After crossing a troubled period of life, I made a mistake to accept Congolese promoters to use my venue.

This people has come with an unacceptable attitudes, as I described on top of this letter.

They didn't want to listen when asking them to keep quiet to respect neighbours.

Their response to this request was simply : " we are in the street and you have nothing to tell us".

Cctv that I have here will show that even after operating hours, and door closed completely, they will hang outside not whiling to go home, shouting talking or playing loud music from cars.

This has push neighbours to think that maybe music is coming from my venue.

As I said overleaf, accept my apologies as responsible of the venue, even if it is not coming directly from me.

To show my good intentions, Madam, Sir, I am approaching you with proposals.
To increase effective of door supervisors from 2 to 6 at nights and 2 on Spurs home games,
And To use the gate exit to let them out on a reduce number at a time

Bearing in mind that my aim is to comply with the licensing objectives, and if this proposal still a capital point of fearing nuisances to occur again, I will sincerely and in all honesty, this for the respect of my neighbours, for the image of my business and the community, request that my licence be restricted to 12 am seven days a week.
Also, I would like to request a meeting with my neighbours and yourself to the Pride of Tottenham, to apologise to what they have gone through, and to keep a good neighbourhood relationship in the future for the wellbeing of the community.

Could I please request to you to organise it if possible and let me know of your availability.

Accept my respectful considerations Madam, Sir.
Your sincerely
Mr Mpala Mufwankolo
Aka Mr Niche JUAMI.

Envoyé de mon iPhone

Le 28 août 2016 à 14:47, Barrett Daliah <Daliah.Barrett@haringey.gov.uk> a écrit :

Hello Mr Mufwankola
You need to have cctv operating in order yo comply with the conditions of the licence.

Please be advised you must have this rectified in a matter of days.
Regards
Daliah Barrett

Sent from Divide managed by MobileIron

On 28 Aug 2016 14:40:31, "Mark.L.Greaves@met.pnn.police.uk"
<Mark.L.Greaves@met.pnn.police.uk> wrote:
Hi Mpala

As discussed today on the telephone you are returning the 2 Terabyte CCTV system to the manufacturer as it is apparently faulty and cannot be programmed to save CCTV footage for more than 9 days. This system takes 12 cameras. You are replacing it with your previous 1 terabyte system that only takes 6 cameras until the new system is repaired and reprogrammed. You told me that the cameras covering the outside of the venue will no longer be plugged into the hard drive and so no recordings will be available of activities outside your venue. Obviously should there be further complaints of anti-social behaviour outside your venue the lack of CCTV footage would make disproving it more difficult.

Regards

Mark

Mark Greaves PC 164YR
Licensing / CPDA / Crime Prevention
Haringey Borough Police
Tel: 020 3276 0150 07766 161877

This Message is Restricted/Confidential
If Printed please remember to dispose of as Confidential Waste