

## NOTICE OF MEETING

# LICENSING SUB COMMITTEE B

**Thursday, 21st December, 2017, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE**

**Members:** Councillors Zena Brabazon (Chair), David Beacham and Reg Rice

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. MINUTES (PAGES 1 - 8)**

To approve the minutes of the previous meeting of the Licensing Sub Committee B held on 31 August 2017.

**6. SUMMARY OF PROCEDURE (PAGES 9 - 10)**

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003 or the Gambling Act 2005. A copy of the procedure is attached.

**7. ORDU-ONE SUPERMARKET, 42-44 WESTBURY AVENUE, LONDON N22 6RS. (PAGES 11 - 44)**

To consider an application for a variation of an existing premises licence.

**8. ITEMS OF URGENT BUSINESS**

To consider any new items of urgent business admitted under item 3 above.

Felicity Foley, Principal Committee Co-ordinator

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Bernie Ryan

Assistant Director – Corporate Governance and Monitoring Officer

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

Tuesday, 12 December 2017

**MINUTES OF THE MEETING OF THE LICENSING SUB  
COMMITTEE B HELD ON THURSDAY, 31ST AUGUST, 2017, 7.00  
- 9.35 pm**

**PRESENT:**

**Councillors: Toni Mallett (Chair), Reg Rice and Clive Carter**

**18. FILMING AT MEETINGS**

Noted.

**19. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Beacham. Councillor Carter was in attendance as a substitute member.

**20. URGENT BUSINESS**

None.

**21. DECLARATIONS OF INTEREST**

None.

**22. MINUTES**

The minutes of the meeting held on 20 June 2017 were approved as a correct record.

**23. SUMMARY OF PROCEDURE - VARIATION**

The Chair outlined the procedure to be followed at the hearing.

**24. NICKEL, 143B CROUCH HILL, N8 9QJ**

Daliah Barrett, Licensing Officer, introduced the application for a variation of the existing premises licence at Nickel, 143b Crouch Hill, N8 9QJ. The applicant wished to vary the hours of operation and the layout of the premises to allow for a bench outside of the premises for the consumption of alcohol. Ms Barrett informed the Committee that as the outside of the premises was on the public highway, any request to use this area would be subject to a further application for a street trading licence. Representations had been received from local residents.

Ms Barrett informed the Committee that the references on the current licence (under Annex 2, prevention of public nuisance) to live music ceasing at 23.00hrs and alcohol sales ceasing at 23.30hrs shall be removed, as they served no purpose on the licence. Ms Barrett added that that KMNS Trading Ltd had been running the premises since May 2016 and there had been no complaints recorded against them.

Rosemary Jackson, Interested Party, outlined her representation against the application. Her objection mainly focussed on public nuisance and the noise that would be heard from the premises late at night. The road that the premises was located on was not a particularly busy road, with very few commercial premises. The tables outside of the premises would encourage people to sit there to smoke, increasing the noise nuisance and causing further noise to escape from the doors with people entering and exiting the premises to smoke. Ms Jackson added that she would accept extended hours for Friday and Saturday only.

Steve Williams, Applicant, presented the application for a variation of the premises licence. He explained that KMNS Trading Ltd had applied for an extension in hours to allow the restaurant to expand the business and increase daytime trade. He informed the Committee that the request to extend the hours on Thursday evening had been withdrawn.

Mr Williams explained that sound proofing work had been carried out at the premises and there were ongoing discussions with the landlord and upstairs tenants to control any potential noise nuisance. He described the area surrounding the premises and informed the Committee that the premises was located on a commercial strip, next to a busy recording studio and an off licence. The Blue Legume restaurant provided 20 covers outside of the restaurant and operated until 22.30hrs. This application was for 6 covers outside of the restaurant. Mr Williams also pointed out that no representation had been made by Enforcement Response.

All parties made a brief closing statement and the Committee retired to consider its decision. The Chair informed all present that the decision would be circulated in writing following the hearing.

**RESOLVED**

The Committee carefully considered the variation application and the representations made by residents, as well as the council's statement of licensing policy and the Licensing Act 2003 Section 182 guidance.

Having fully considered the written and oral representations and questioned those present, the Committee decided to grant the application in part as follows:

**Opening Hours**

Sunday to Thursday	1000 to 2330 hours
Friday and Saturday	1000 to 0030 hours

**Supply of Alcohol**

Sunday to Thursday	1000 to 2300 hours
Friday and Saturday	1000 to 0000 hours

For Consumption ON and OFF the premises

**Late Night Refreshment**

Friday and Saturday	2300 to 0000 hours
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Seasonal variations

New Years Eve

Opening hours	1000 to 0330
Supply of Alcohol	1000 to 0300
Late Night refreshment	2300 to 0300
Recorded music	1000 to 0300
Live Music	2300 to 0300

The Committee heard evidence that the premises were not situated on the main road, but on Crouch Hill, where there was a mix of commercial and residential premises. The premises are on the ground floor with residential flats above and across the road. The Committee were of the view that the premises were part of the commercial strip of properties and that the areas was not purely residential as there were other shops and restaurants in the area.

It was suggested to the Committee that a nuisance would be caused by the premises if the licence was extended to the later hours proposed by the variation, but the Committee were persuaded by the evidence that the premises were a well-run small restaurant and bar seating 24 people, they do not play loud music and there had been no complaints to the Council since May 2016 when it starting operating. The Committee therefore decided that granting the licence would not undermine the licensing objective of the prevention of public nuisance and so the extended hours were granted.

In granting the extension, the Committee confirms that the condition which states:

- The sale of alcohol will cease at 23.30 allowing half an hour for patrons to leave orderly and quietly

shall be excised from the licence.

The condition which states:

- All live music will stop prior to the 23.00 noise curfew, with the exception of non-standard timings, of which will be advertised prior to the date reasonably in advance.

Shall be amended to read:

- All live music after 23.00 will be advertised prior to the date reasonably in advance.

The application included a variation to the layout of the premises in accordance with a plan that included a proposed external seating area on the pavement at the front of the premises. Having regard to the evidence that the pavement was narrow, that when a bench had been placed outside previously for customers to smoke residents had complained about the smoke going in their windows and that the noise had been intrusive, the Committee decided that having a seating area outside would inevitably bring the noise outside and unreasonably affect the residents particularly those above, which would undermine the licensing objective of the preventing public nuisance.

The Committee also considered evidence that the seating outside would cause an obstruction to the shared entranceway to the premises above. Having considered these representations, the Committee decided that having a seating area on the

pavement was likely to cause an unreasonable obstruction that would affect public safety.

For the reasons given above the part of the application relating to the outside seating area was rejected.

**25. SUMMARY OF PROCEDURE - REVIEW**

The Chair outlined the procedure to be followed at the hearing.

**26. THE HARRINGAY ARMS, 153 CROUCH HILL, N8 9QH**

Daliah Barrett, Licensing Officer, introduced the application for a review of the premises licence made by Molly Keane, local resident, on the grounds of public nuisance and crime and disorder. Ms Barrett informed the Committee that there had been a history of noise nuisance at the premises, with 60 complaints made since 2013, although 52 had not been established due to the noise stopping, or Council officers not being available to attend. Representations had been made in support of the review by the Licensing Authority, Enforcement Response and local residents. Ms Barrett informed the Committee that majority of the complaints made related to the old management, however it was important to note that complaints had still been made under the new management. Ms Keane had been contacted by the Licensing Authority to see whether she still wanted to proceed since the change in management at the premises, and she indicated that she did.

Molly Keane, local resident, presented her application for a review of the premises licence. She informed the Committee that she had moved into the premises in March 2017, and had not been able to sleep for more than 3 hours at night due to noise from the premises. She had experienced incidents of intimidation from bar staff and patrons when making noise complaints.

Ms Keane explained that the garden of the premises was surrounded by residential properties, and it was mainly noise from the garden which caused the biggest nuisance. The main source of noise was from people talking, however, the poor soundproofing of the premises and the opening and closing of the door when there was live music playing also caused a nuisance. She added that she had stopped making complaints to the Council, as there had been no improvement in the levels of noise.

Ms Keane requested that the Committee reduce the hours of the premises in order to address the late night noise issues. She explained to the Committee that the current hours were out of sync with other premises nearby, and without a reduction in the hours there would not be any change to the issues experienced.

Mark Eastwood, Enforcement Response, outlined the representation made by Enforcement Response. The team were aware of the noise problems at the premises, and had experienced it first hand during visits. The premises had been issued with warning letter, noise abatement notices, Fixed Penalty Notice and prosecution against the previous management. He considered that a reduction in opening hours and use

of the garden, along with the inclusion of conditions on the licence could help to resolve the issues.

In response to Ms Keane, Mr Eastwood confirmed that during a visit where live music was playing at the premises, the doors to the premises were closed and the music was still at a level where it would be impossible for anybody to sleep.

In response to the Applicant's Representative, Richard Taylor, Mr Eastwood agreed that the proposed noise management plan could assist in dealing with noise problems.

Richard Taylor, Applicant's Representative, responded to the application for a review of the premises. He explained to the Committee that the premises were under new management who had many years of experience in running neighbourhood pubs, and the issues described by Ms Keane related to the old management. He referred to the noise management plan, which had been created using examples of good practice from other premises and explained that this would be a major factor in resolving the issues experienced.

Mr Taylor informed the Committee that he would be happy to restrict the hours for the use of the garden in line with those requested by Enforcement Response. However, he felt that there was not the need to reduce the opening hours as the new management would be able to deal with any potential issues.

Following a short discussion, the Committee adjourned to consider the application. The Chair informed all present that the decision would be circulated in writing following the hearing.

## **RESOLVED**

The Committee carefully considered the review application, the representations made by residents, the Enforcement Response Team, the Licensing Authority and the premises licence holder, as well as the council's statement of licensing policy and the Licensing Act 2003 Section 182 Guidance.

Having fully considered the written and oral representations and questioned those present, the Committee decided to modify the opening hours and licensing hours of the premises and modify the conditions on the licence as follows:

### **Opening Hours**

Sunday to Thursday	1000 to 0000 hours
Friday and Saturday	1000 to 0100 hours

### **Supply of Alcohol**

Sunday to Thursday	1000 to 2330 hours
Friday and Saturday	1000 to 0030 hours

For Consumption ON and OFF the premises

### **Recorded and Live Music**

Sunday to Saturday	1800 to 2300 hours
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**Late Night Refreshment**

Sunday to Thursday	2300 to 2330 hours
Friday and Saturday	2300 to 0030 hours

The Committee heard evidence that the premises are land locked and in close proximity to residential premises on every side. Over the last 4 years there had been over 60 complaints of noise nuisance to the Enforcement Response Team. Whilst only a small number of complaints had been established, this was not reflective of the scale of the problem. The level of complaints coincided with the extension of the opening hours to 0130 hours during the week and 0230 hours at weekends. The Committee determined that this application engaged the licensing objective of the prevention of public nuisance.

The Committee noted that the current licence holder the Bermondsey Pub Company only took over the licence in July 2017, after the review had been lodged, and that none of the incidents giving rise to the review took place whilst they were in control of the premises. Since taking over the licence the premises have been closed for refurbishment.

The Committee accepted that the current licence holder is in no way responsible for the nuisance caused at the premises which is the subject of the review, however the proximity of the premises to residential premises, particularly the outside garden area and the late opening hours have all contributed to the unacceptable levels of public nuisance experienced by the residents and this cannot be ignored.

The public nuisance in the main related to loud music, loud voices, people outside smoking, fighting and live music. The Enforcement Response Officer provided evidence that the noise in neighbouring properties was extremely intrusive. He had attended a complainant's home on one occasion he could hear the live band from the resident's property with all the voices and all the music being audible. He described the level of noise as outrageous.

To deal with the noise escape from the premises and the garden area, the Committee considered it proportionate to impose appropriate conditions relating to the playing of live and recorded music. In order to give effect to those conditions the Committee exercised its powers under section 177A (2) of the Licensing Act 2003 (the Act), to make a statement on this review pursuant to section 177A(3) of the Act disapplying the live and recorded music exemption given to premises and adding conditions relating to music to the licence in accordance with section 177(4) of the Act.

The Committee considered the alternative of withdrawing the licensable activities of live and recorded music from the license but considered it would be disproportionate to do so and that the new licence holders should be given the opportunity to demonstrate that they could successfully operate the business and promote the licensing objectives.

Having considered the available options including sound proofing, the Committee determined that it was appropriate to amend the conditions so as to ensure that all music whether amplified recorded music or live music was played at a volume that would not cause a nuisance to neighbouring residents. The Licence holder had



offered to control volume levels with the use of a decibel app but the committee considered a noise limiter more appropriate. The Licence holder was also willing to limit live music events to one time per week and the Committee agreed that this would be appropriate.

The Committee also considered it appropriate to impose conditions to ensure that residents living next to the property and across the road are not unreasonably disturbed by the activity of patrons outside the premises. The Committee decided that given the proximity to residential properties it was appropriate to limit the playing of live and amplified recorded music (not background) music to 11 p.m. so that residents could not be disturbed after this time and to close the rear garden area to patrons at 2200 hours on Sunday to Thursday and 2300 hours Friday and Saturday.

In addition, much of the nuisance was caused by the poor management by the previous licensee in dealing with noisy and rowdy customers and breaches of the licensing hours in relation to the playing of live music. The Committee was grateful for the assurances by the new licence holder that the premises would be well run and for the Noise Management Policy (at pages 86 to 88 of the supplementary pack) submitted to the Committee, which the Enforcement Response Officer considered suitable to alleviate further problems. Given the history of mismanagement, the Committee considered it appropriate and proportionate to impose all of the measures proposed in the Noise Management Policy (including the bulleted dispersal procedures on page 88) as conditions on the licence, amended for the reasons given above as follows:

- Live music and recorded music - the volume control should be via a sound limiter (not a decibel app) at a decibel level to be agreed with the Enforcement Response Team. All music (recorded or live) played at the premises shall be played through the sound limiter.
- Garden and frontage - The rear garden area to be cleared by 2200 hours Sunday to Thursday and 2300 hours Friday and Saturday.
- After the rear garden area has closed the frontage only should be used for smokers and regularly checked by staff to ensure patrons do not cause a nuisance e.g. by loud talking.

Where there is inconsistency between these conditions and those attached to the previous licence the new conditions apply.

The Committee considered that all of the noise conditions, which include conditions restricting the frequency of live music, reducing the hours that patrons use the garden area, signage about appropriate behaviour and the dispersal procedure, would be appropriate and proportionate to promote licensing objective of the prevention of and public nuisance.

The Committee looked carefully at the opening hours for the premises and whether they were negatively impacting on the licensing objectives. The Committee decided that the late opening of the premises was a significant contributory factor to the levels of nuisance and distress that had been experienced by residents and that it was not appropriate to have such late opening hours in such a densely residential area. Even with the conditions being imposed and the restrictions on the use of the rear garden area, and even if the premises were well run, it was the Committee's view that taking

into account the proximity to residential premises a nuisance was likely to occur in the early hours of the morning. The Committee viewed with particular sympathy the evidence of the review applicant that she was getting approximately 3 hours sleep a night because she was kept awake by noise and she had to get up at 5.30 a.m. for work. The Committee considered the impact this had had on her mental and physical well being and decided that the opening hours should be reduced and aligned more closely with those set out in paragraph 53 of the Council's Statement of Licensing Policy.

**27. ITEMS OF URGENT BUSINESS**

None.

CHAIR: Councillor Toni Mallett

Signed by Chair .....

Date .....

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

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

Report for: Licensing Sub Committee 21<sup>st</sup> December 2017

Item number:

Title: Application for a Variation of an existing Premises licence under the Licensing Act 2003. Ordu One Supermarket, 42-44 Westbury Avenue Wood Green London N22.

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

Ward(s) affected WG

Report for Key/  
Non Key Decision: Not applicable

1. Describe the issue under consideration

1.1 An application has been submitted by Mr Bulent Ordu for a variation of the premises licence to allow for an increase in hours for the sale of alcohol. Please see Appendix 1.

1.2 The applicant is seeking the following hours:

Supply of Alcohol	
Sunday to Thursday	0800 to 0100 hours
Friday to Saturday	0800 to 0230 hours

For the consumption OFF the premises

Opening hours to the public

Sunday to Thursday	0800 to 0100 hours
Friday to Saturday	0800 to 0230 hours

Representations have been received against this application by the Metropolitan Police.

1.3 As such, in accordance with the legislation the Licensing Authority must hold a hearing to consider the application and any relevant representations.

1.4 Representations

The Metropolitan Police representation can be found at Appendix 2.

2 Background

2.1 The premises is an existing supermarket with the ability to sell alcohol at the following times:

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

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A copy of the existing licence can be found at Appendix 3.

- 2.2 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

The Licensing Authority considers that restrictions may be made to the proposed considers it appropriate for the promotion of the licensing objectives to do so.

The council may take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives.

### 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. Any action taken to promote the licensing objectives will be appropriate and proportionate.

#### 3.1 Powers of a Licensing Authority

- 3.2 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.

#### 3.3 Options:

- 3.4 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:

In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

- to modify the conditions of the Licence; or
- to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

3.5 The licensing authority's determination of this application is subject to a 21 day appeal period or if the decision is appealed the date of the appeal is determined and /or disposed of.

#### 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:

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

#### 5 Use of Appendices

Appendix 1 – Application and supporting documents

Appendix 2 – Representations from Met Police

Appendix 3 – Copy of existing licence.

Background papers: Section 82 Guidance  
Haringey Statement of Licensing policy



**Appendix 1– Application**



Haringey  
Application for a premises licence  
Licensing Act 2003

HARINGEY COUNCIL

LICENSING  
RECEIVED

1 NOV 2017

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

\* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes  No

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

Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

Continued from previous page...

**Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

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

Is your business registered outside the UK?  Yes  No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21****PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 21

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

## Section 4 of 21

**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Mr Bulent

Family name

Ordu

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

**Current Residential Address**

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Applicant Contact Details**

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /

\* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Supermarket. Please refer to the plans

Continued from previous page...

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

**Section 6 of 21****PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

- Yes  No

**Section 7 of 21****PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

- Yes  No

**Section 8 of 21****PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21****PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21****PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

- Yes  No

**Section 11 of 21****PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes  No

**Section 12 of 21****PROVISION OF PERFORMANCES OF DANCE**

**Continued from previous page...**

See guidance on regulated entertainment

Will you be providing performances of dance?

 Yes No**Section 13 of 21****PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

 Yes No**Section 14 of 21****LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

 Yes No**Section 15 of 21****SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

 Yes No**Standard Days And Timings****MONDAY**Start End Start End Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.**TUESDAY**Start End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End



Continued from previous page...

SATURDAY

Start 08:00

End 02:30

Start

End

SUNDAY

Start 08:00

End 01:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

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

State any seasonal variations

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

N/A

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

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

N/A

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

Name

First name

Bulent

Family name

Ordu

Date of birth

/  /   
dd      mm      yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start 08:00

End 01:00

Start

End

WEDNESDAY

Start 08:00

End 01:00

Start

End

THURSDAY

Start 08:00

End 01:00

Start

End

FRIDAY

Start 08:00

End 02:30

Start

End

SATURDAY

Start 08:00

End 02:30

Start

End

SUNDAY

Start 08:00

End 01:00

Start

End

State any seasonal variations

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

N/A

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

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

N/A

Section 18 of 21

LICENSING OBJECTIVES

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

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

*Continued from previous page...*

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

b) The prevention of crime and disorder

- 1) The dps, a personal licence holder or trained member of staff nominated in writing by the dps shall be on duty at all times the premises are open to the public.
- 2) a) A cctv system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.
- b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.
- c) All staff who may work front of house shall be trained to operate the cctv system and download images.
- d) At least one member of staff trained to operate the cctv system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a usb stick, cd or other acceptable means as soon as possible and in any case within 24 hours of the request
- 3) challenge 25 shall be operated as the proof of age policy.
- 4) all staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
- 5) An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
  - A) All crimes reported,
  - B) Lost property,
  - C) All ejections of customers,
  - D) Any complaints received,
  - E) Any incidents of disorder,
  - F) Any seizure of drugs or offensive weapons,
  - G) Any faults in the cctv,
  - H) Any refusal in the sale of alcohol.
  - I) Any visit by a relevant authority or emergency service
- 6) Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:
  - A) That cctv & challenge 25 are in operation;
  - B) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
  - C) Of the permitted hours for licensable activities & the opening times of the premises;
  - D) Not to drink in the street;
  - E) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.
- 7) There shall be a minimum of three employees present at the premises from 19:00hrs. After 23:00hrs a personal licence holder shall be on the premises.
- 8) Alcohol products stocked for sale shall not include lagers, beers or ciders with an alcohol content above 7.0%abv.
- 9) under counter panic button shall be installed and fully maintained.

c) Public safety

A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.

d) The prevention of public nuisance

*Continued from previous page...*

- 1) The front of the premises shall be kept tidy at all times and be swept at close.
- 2) Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate)
- 3) No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00.
- 4) Any music played will only be played at background level.
- 5) An incident book shall be kept at the premises and made available to the police or authorised council officers –see box b condition 5 for full details of the information to be recorded.
- 6) A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

e) The protection of children from harm

- 1) Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, hm forces photographic id card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.
- 2) All refusals of the sale of alcohol shall be recorded in the refusals section of the incident book. The incident book shall be kept and produced to police & authorised council officers on request –see section b condition 5 for full details.
- 3) relevant notices will be prominently displayed by the entry/ exit door and point of sale as appropriate– see section B condition 6 for full details.
- 4) All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
5. The premises licence holder to employ an external agency to conduct training for all new staff and refresher training on a quarterly basis with training records sent by email to Local Authority's Trading standards and Local Authority's Licensing Team.
6. The premises licence holder to employ an external agency to conduct test purchases at the premises on a quarterly basis with results of test purchases to be sent to Local Authority's Trading Standards and Local Authority's Licensing team upon completion.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

*Continued from previous page...*

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



*Continued from previous page...*

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

**Section 21 of 21****PAYMENT DETAILS**

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

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

The following credit or debit cards are accepted in Haringey: Maestro - Mastercard Debit - Mastercard Credit - Solo - Visa Credit - Visa Debit (formerly Delta) and Visa Electron We cannot accept liability if payment is refused or declined by the card supplier. Due to end of day processing, this service will not be available between 10pm and 11pm every weekday evening (Mon- Fri). Users should note that any payments in process after the 10pm deadline need to be completed by 10.05pm

\* Fee amount (£)

190.00

Continued from previous page...

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

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application. [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition \* preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

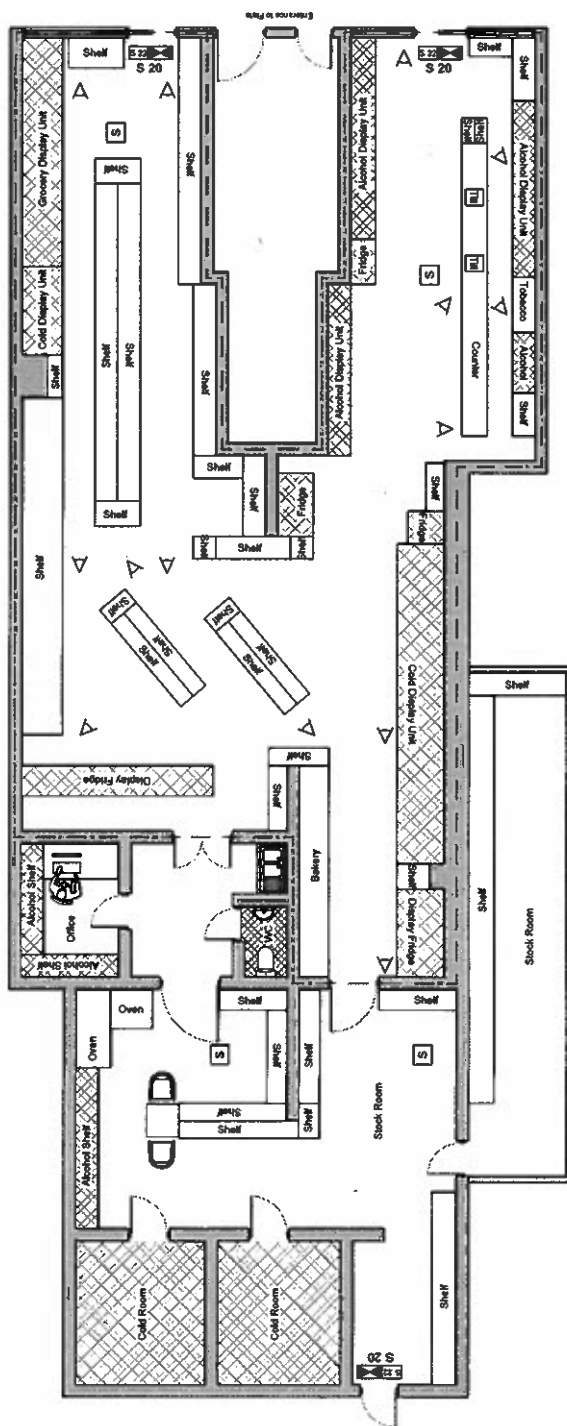
[Add another signatory](#)

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

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

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

- LEGEND**
- WC AREA
  - FRIDGES
  - ALCOHOL
  - AMBIT OF LICENSED PREMISES
  - SAFETY LIGHTS
  - SMOKE DETECTOR
  - CCTV
  - FIRE ESCAPE KEEP CLEAR
  - S 20
  - INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
  - CARBON DIOXIDE FIRE EXTINGUISHER
  - 9 LT. WATER FIRE EXTINGUISHER
  - FAN



DRAWING DATE	Oct. 30th, 2017
SCALE:	1:100 @A3
SHEET:	1
DRAWN BY:	OZ
CONTROL BY:	MHR

**42-44 Westbury Avenue**  
**Wood Green N22 6RS**  
**Existing Ground Floor**

**GENERAL NOTES:**

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 83 Bala Newington Hills Street, London N15 8EL  
 Tel: 020 7241 3638 | Mob: 07940 414 890 | www.narts.org.uk | info@narts.org.uk

**Appendix 2– Representation from Metropolitan Police**

**Anderson Chanel**

---

**From:** Mark.L.Greaves@met.pnn.police.uk on behalf of yrmailbox-.licensing@met.pnn.police.uk  
**Sent:** 23 November 2017 12:42  
**To:** Licensing  
**Cc:** Barrett Daliah; Steve.Lush@met.pnn.police.uk  
**Subject:** RE: Application for a New Premises Licence- Ordu-One Supermarket, 42-44 Westbury Avenue, London N22 6RS (WK/396307)

Dear Mrs Barrett

Police wish to object to the increased hours of alcohol sales in this application. The application relates to Ordu-One Supermarket, 42 – 44 Westbury Avenue N22 6RS. At present the venue is licensed for off sales of alcohol until closing times:

Mon – Thur 0800 – 2300  
Fri – Sat 0800 - 2300  
Sunday 1000 - 2230

The venue has applied for a New Premises Licence authorising off sales until closing times:

Sun – Thur 0800 - 0100  
Fri – Sat 0800 - 0230

There are 2 other Off licences, 'Polish Shop' & 'Westbury Food & Wine' in the row of shops which operate 0800 - 2300. There is a restaurant which closes at 2200. At the end of the row is Westbury Public House with opening hours:

Mon – Wed 1100 - 0030  
Thur - Sat 1100 - 0130  
Sunday 1000 - 2300

This application if approved would make the venue the latest opening venue supplying alcohol. This part of Westbury Avenue N22 for some distance is a residential area with housing at either end of the short row of commercial buildings and residential flats above them.

Police consider clients frequenting the venue up until 0100 Sunday to Thursday and 0230 Friday and Saturday have an unacceptable risk of already being alcohol fuelled from earlier closing licensed venues including those leaving The Westbury Pub who wish to continue drinking lower price alcohol from a venue a few hundred yards walk away. The basic consideration is the requirement for the ability for members of the public to purchase alcohol in the early hours of the morning compared to the risk of increased intoxication adversely affecting their behaviour regarding crime / disorder and public nuisance. The road is a busy vehicular connection between Lordship Lane and Turnpike Lane. The length of the shopping area is a few hundred yards with a long bus stop on both sides with controlled by signs stating: 'London Bus Priority Network – No Stopping Except Buses'. Last buses from stop are up to 0040. After the bus stop is an A.T.S controlled crossing point with white zig-zag lines. At either side of row of commercial venues are resident parking bays available to anyone after 0930 hours. Police fear vehicles stopping in vicinity of venue in early hours will increase noise pollution to nearby residents.

Police consider the present closing times of licensed venues in this short commercial area adequately reflect the need for such venues to commercially thrive balanced by the fact it is a residential area where residents peaceful existence is not unduly disturbed. Police consider the venue should open Mon – Sun 0800 – 2300 to reflect the fact it is in a residential area with similar opening hours for nearby Off Licences.

Regards

Mark Greaves

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

**Tel: 020 3276 0150      Mobile: 07766 161877**

Haringey police are here

- *for victims,*
- *to build trust with communities,*
- *to prevent crime in partnership,*
- *and to bring offenders to justice.*

**This Message is Restricted/Confidential  
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**From:** Anderson Chanel [mailto:Chanel.Anderson@haringey.gov.uk] **On Behalf Of** Licensing  
**Sent:** 01 November 2017 11:01  
**To:** Haringey Building Control <Control.HaringeyBuilding@haringey.gov.uk>; De Gruchy Jeanelle <Jeanelle.DeGruchy@haringey.gov.uk>; Enforcement Response <Enforcement.Response@haringey.gov.uk>; 'Fire' <firesafetyregulationNW@london-fire.gov.uk>; Shipp David <David.Shipp@haringey.gov.uk>  
**Cc:** Barrett Daliah <Daliah.Barrett@haringey.gov.uk>; Shah Noshaba <Noshaba.Shah@haringey.gov.uk>  
**Subject:** Application for a New Premises Licence- Ordu-One Supermarket, 42-44 Westbury Avenue, London N22 6RS (WK/396307)  
**Importance:** High

**Dear RA's**

**Please find attached an application for a new premises licence.**

**Please note the last day of consultation is 28<sup>th</sup> November 2017.**

**Please forward all responses to [licensing@haringey.gov.uk](mailto:licensing@haringey.gov.uk)**

**Kind regards**

**Chanel Anderson  
Licensing Administrator**



**Licensing Team I**

**6th Floor | Alexandra House | 10 Station Road | Wood Green | London | N22 7TR**

**Tel: 020 8489 5544**

**chanel.anderson@haringey.gov.uk |**

**twitter@haringeycouncil**

**facebook.com/haringeycouncil**

**Please consider the environment before printing this email.**

**Appendix 3- Copy of Premises Licence**

## PREMISES LICENCE

Receipt: AG763412

Premises Licence Number: LN00001162

*This Premises Licence has been issued by:*

**The Licensing Authority, London Borough of Haringey,  
Civic Centre, High Road, Wood Green,  
London, N22 8LE**

Signature: .....

Date: 24<sup>th</sup> November 2005  
28<sup>th</sup> December 2007

### Part 1 – PREMISES DETAILS

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

**ORDU-ONE  
42 WESTBURY AVENUE  
WOOD GREEN  
LONDON  
N22 6RS**

Telephone: 020 8888 3018

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

N/A

**Licensable activities authorised by the Licence:**

**Supply of Alcohol**

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

**Supply of Alcohol**

**Monday to Saturday      0800 to 2300**

**Sunday                      1000 to 2230**

**Good Friday                0800 to 2230**

**Christmas Day             1200 to 1500 & 1900 to 2230**

**The opening hours of the premises:**

**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:**

Bulent Ordu  
772a Hertford Road  
Enfield  
London  
EN3 6PX

**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:**

Bulent Ordu  
772a Hertford Road  
Enfield  
London  
EN3 6PX

**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 Number                      LN/200500989

Issued by London Borough of Enfield

Expires: 31<sup>st</sup> July 2015

## **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.

### **Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
    - (i) P is the permitted price
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
    - (i) The holder of the premises licence
    - (ii) The designated premises supervisor (if any) in respect of such a licence, or
    - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (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

**Annex 1 –Mandatory Conditions**

- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.  
  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

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

The premises will have the following: CCTV, Alarm and panic button alarms, Good security/shutters front and security locks to rear  
Staff will be trained on the Licensing Objectives.

### **PUBLIC SAFETY**

Premises will have appropriate lighting, fire safety equipment, emergency lighting and relevant signage.

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

The premises will be cleaned regularly and rubbish shall be disposed of appropriately

### **THE PROTECTION OF CHILDREN**

All alcohol will be within observation of the servery.

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

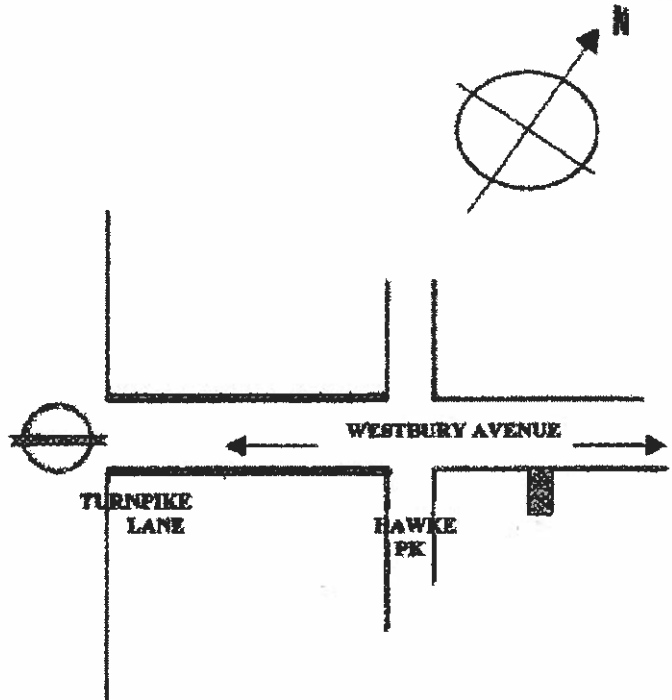
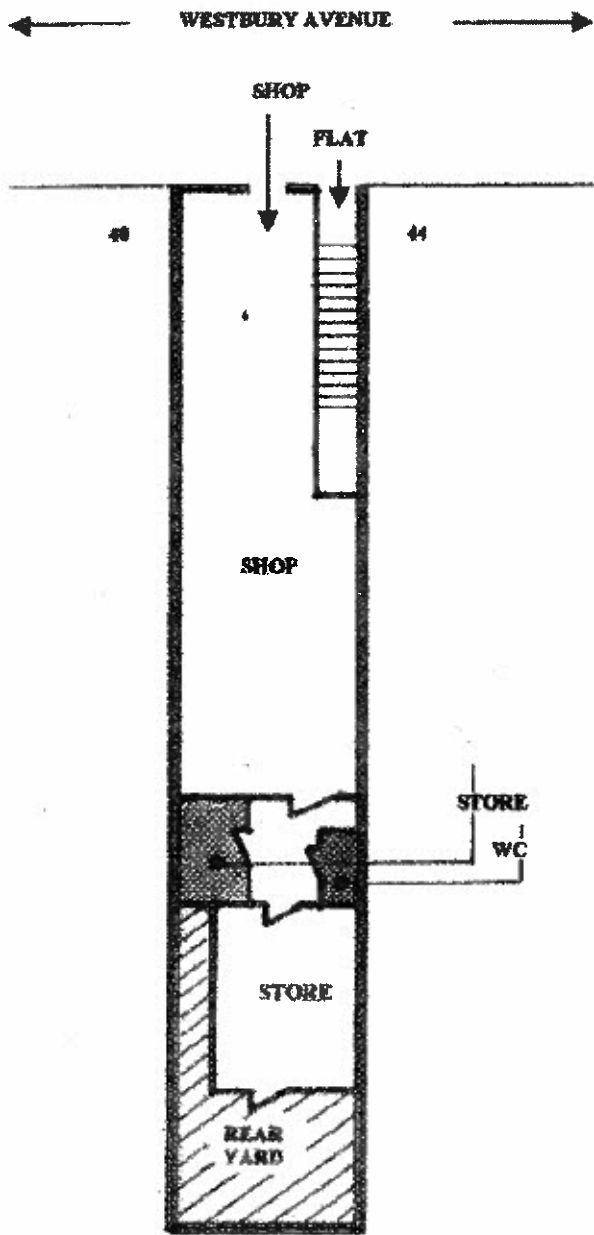
- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

All refusals will be logged in the Refusals Book.

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

Not applicable

Annex 4 - Plans



EXISTING GROUND FLOOR

SILVER STAR OFF LICENCE & MARKET	
42 WESTBURY AVENUE N22 6RS - LONDON	
SCALE	1/200
DATE	DECEMBER - 2004