

NOTICE OF MEETING

LICENSING SUB COMMITTEE B

Tuesday, 20th June, 2017, 6.00 pm - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Toni Mallett (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 9 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 or the Gambling Act 2005. A copy of the procedure is attached.

6. 272 MUSWELL HILL BROADWAY, LONDON N10 2QR (PAGES 3 - 112)

To consider an application for a new premises licence.

7. SUMMARY OF PROCEDURE (PAGES 113 - 114)

8. SUPERCLASS, 4-5 CAMPSBOURNE PARADE, LONDON N8 7PR (PAGES 115 - 168)

To consider a review of the premises licence.

9. ITEMS OF URGENT BUSINESS

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

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Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Monday, 12 June 2017

LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY	
INTRODUCTION	
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"> i) any prior contacts (before the hearing) with the parties or representations received by them; and separately ii) 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: <ul style="list-style-type: none"> (i) grant an adjournment to another date, or (ii) proceed in the absence of the non-attending party. <p>Normally, an absent party will be given one further opportunity to attend.</p>
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: <p>Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.</p> <ul style="list-style-type: none"> (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 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.	
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 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	
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 Objectors make their closing address before the Applicant 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.	

Report for: Licensing Sub Committee 20th June 2017

Item number:

Title: Application for a New Premises Licence – 272 Muswell Hill
Broadway London N10 2QR

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

Ward(s) affected: Fortis Green

Report for Key/
Non Key Decision: Not applicable

1. Describe the issue under consideration

1.1 This report relates to an application for a new premises licence at 272 Muswell Hill Broadway by Mr M Suttcliffe.

1.2 The application seeks the following:

Regulated Entertainment: Live Music & Recorded Music
Monday to Thursday 1200 to 0300 hours
Friday to Sunday 1200 to 0400 hours

Late Night Refreshment
Monday to Thursday 2300 to 0300 hours
Friday to Sunday 2300 to 0400 hours

Supply of Alcohol
Monday to Thursday 1200 to 0300 hours
Friday to Sunday 1200 to 0400 hours

For the consumption ON the premises

Hours Open to Public:
Monday to Thursday 1200 to 0330 hours
Friday to Sunday 1200 to 0430 hours

1.3 The application can be found at - Appendix A.

1.4 Representations have been received from:

Responsible Authorities- Metropolitan Police/Licensing Authority /Enforcement Response.

Residents have also submitted representations against this application.

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1.5 Recommendation

There is no recommendation, but in considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are:

- Grant the application as requested
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates
- Reject the whole or part of the application

Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

2 Background

- 2.1 The premises held a previous licence as Socialite Bar under Mr B. John the leaseholder for the premises. The new applicant Mr M. Sutcliffe we understand is sub leasing the premises from Mr John in order to provide licensable activity at the premises. The previous licence was subject to a Review brought by the Metropolitan Police due to serious crime and disorder issues emanating from the premises, the licence was revoked by the LSC in December 2016 but the then licence holder opted to appeal the decision. The appeal was later withdrawn in May 2017 by Mr John.

Mr Sutcliffe lodged his application in April 2017 and is seeking longer hours than what was previously permitted at the premises.

- 2.2 Due to the concerns the Police and Licensing Authority had with the venue Mr Sutcliffe was asked to attend a meeting to discuss the application. It became apparent at the meeting that Mr Sutcliffe had no knowledge of the area and had not researched or looked into the history of the venue. This was his first attempt at trying to operate a nightclub having until this time operated minicab offices. The Police Licensing Officer encouraged Mr Sutcliffe to attend the area and observe what takes place in the early hours of the morning in and around the venues. The Licensing Authority encouraged Mr Sutcliffe to think of how he could engage with residents as it was clear from the letters of representation that had been submitted at the time that the application was strongly opposed.
- 2.3 The Planning Authority has informed the Licensing Authority that the premise has permission to operate until 2am each day except Sunday and Bank Holidays. Mr Sutcliffe was advised that he would need to make an application to Planning to regularise this.

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

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.

- 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 A - New Application.

Appendix B – Responsible Authority Representations

Appendix C - Other parties

Background papers: Section 82 Guidance

Haringey Statement of Licensing policy

Appendix A- New Application

AG10904954
WK/381516



Application for a premises licence to be g
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/We

(Insert name(s) of applicant)

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

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
272 MUSWELL HILL BROADWAY			
Post town	LONDON	Postcode	N10 2QR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 9,240

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname		First names		
Date of birth		I am 18 years old or over		<input checked="" type="checkbox"/> Please tick yes
Nationality BRITISH				
Current residential address if different from premises address		[Redacted]		
Post town	LONDON		Postcode	[Redacted]
Daytime contact telephone number [Redacted]				
E-mail address (optional) [Redacted]				

SECOND INDIVIDUAL APPLICANT (if applicable)

M r	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	M s	<input type="checkbox"/>	Other Title (for example, Rev)	
Surname					First names				
Date of birth					I am 18 years old or over <input type="checkbox"/> Please tick yes				
Nationality									
Current postal address if different from premises address									
Post town							Postcode		
Daytime contact telephone number									
E-mail address (optional)									

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thurs					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Thurs						
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thurs			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thurs			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12.00	03.00	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	12.00	03.00			
Wed	12.00	03.00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thurs	12.00	03.00			
Fri	12.00	04.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	12.00	04.00			
Sun	12.00	04.00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	1200	0300			
Tue	1200	0300	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	1200	0300			
Thurs	1200	0300			
Fri	1200	0400	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	1200	0400			
Sun	1200	0400			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
			State any seasonal variations for the performance of dance (please read guidance note 5)			
Wed						
Thurs						
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)			
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thurs			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1200	0300	Please give further details here (please read guidance note 4)		
Tue	1200	0300			
Wed	1200	0300	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thurs	1200	0300			
Fri	1200	0400	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	1200	0400			
Sun	1200	0400			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	1200	0300	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	1200	0300			
Wed	1200	0300			
Thurs	1200	0300			
Fri	1200	0400			
Sat	1200	0400			
Sun	1200	0400			
				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)	

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

Name	[REDACTED]
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Mon	1200	0330	
Tue	1200	0330	
Wed	1200	0330	
Thurs	1200	0230	
Fri	1200	0430	
Sat	1200	0430	
Sun	1200	0430	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

WE WILL HOLD REGULAR MEETINGS AND ONGOING TRAINING WITH OUR OWN TEAM INTERNALLY TO REMIND, TRAIN, AND ENSURE ALL LICENSING OBJECTIVES ARE CONSISTENTLY AT FRONT OF MIND AND ADHERED TO WITH ALL RELEVANT TEAM MEMBERS
 THIS WILL BE ANGMENT BY REGULAR 'CHECK AND TEST' PROCEDURES TO ENSURE COMPLIANCE WITH ALL OBJECTIVES BY ALL TEAM MEMBERS
 WE WILL PROACTIVELY SEEK FEEDBACK FROM LOCAL COMMUNITY

b) The prevention of crime and disorder

THE FOLLOWING STEPS WILL BE TAKEN

- INSTALLATION OF A SCANNET LIVE SYSTEM
- OPERATION OF A 'CHALLENGE 25' DOOR POLICY
- ZERO TOLERANCE REGARDING 'NO ID NO ENTRY'

c) Public safety

THE FOLLOWING STEPS WILL BE TAKEN

- SIA DOOR STAFF WILL BE DEPLOYED AT ALL TIMES
- WE WILL CONSISTENTLY WORK CLOSELY WITH THE LOCAL SAFER NEIGHBOURHOOD TEAMS

d) The prevention of public nuisance

SURROUNDING AREAS OF THE VENUE WILL BE MAINTAINED BY OUR OWN SECURITY UNTIL ALL OUR PATRONS HAVE DISBURSED FROM THE AREA

WE WILL ENSURE THAT THIS IS DONE RAPIDLY AS POSSIBLE WITH MINIMAL NOISE AS POSSIBLE

e) The protection of children from harm

PERSONS UNDER 21 WILL BE STRICTLY PROHIBITED FROM ENTERING THE VENUE AND THIS WILL BE RIGOROUSLY APPLIED AT ALL TIMES

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.

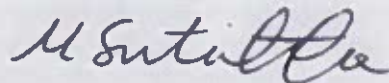
I understand that if I do not comply with the above requirements my application will be rejected.

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)



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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
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	<ul style="list-style-type: none"> 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 licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

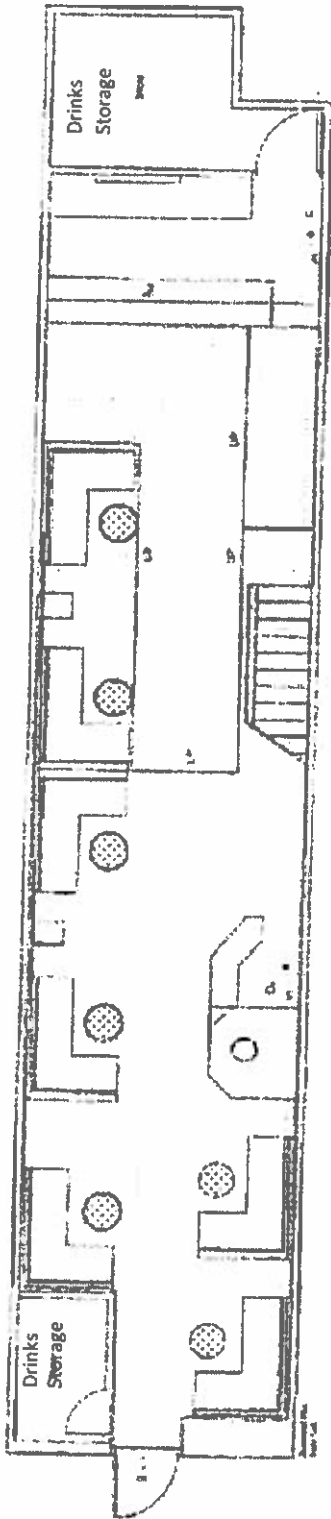
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

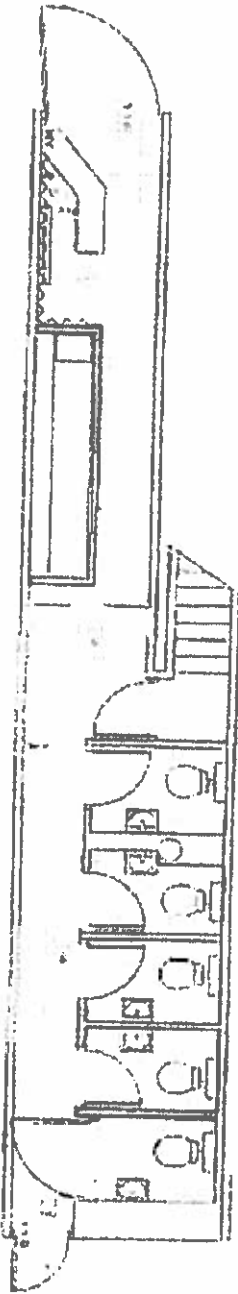
Notes for Guidance

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

Ground Floor



Basement



Socialite Bar
272 Muswell Hill Broadway
Muswell Hill
London N10 2QR
Scale A4@ 1:100

Appendix B- Responsible Authority Representations

Metropolitan Police

Anderson Chanel

From: Mark.L.Greaves@met.pnn.police.uk
Sent: 23 May 2017 11:37
To: Licensing; Anderson Chanel
Cc: Barrett Daliah
Subject: Application for a New Premises Licence: - Socialite Bar, 272 Muswell Hill Broadway, Hornsey, London, N10 2QR (WK/381516)

Dear Mrs Barrett

Police wish to object the application for a New Premises Licence at Socialite bar, 272 Muswell Hill Broadway, London, N10 2QR. This venue has been operating as a night club for some years and was one of 3 such venues in the immediate vicinity. The other venues were Café Loco, now known as Metropolitan and Club 56. Due to violent crime and disorder and breaches of Premises Licence Conditions Club 56 had its Premises Licence revoked and is now residential property. In recent times the area immediately surrounding the two remaining night clubs has become more residential with new properties being built. This has led to complaints from residents about noise and nuisance related to clients emerging from Metropolitan and Socialite bar in the early hours of the morning to smoke or go home or loiter whilst talking to friends or purchasing a kebab from the takeaway restaurant immediately between Metropolitan and Socialite Bar. Metropolitan Bar is presently under Review for venue being associated with serious crime and disorder and public nuisance.

Due to serious crime and disorder issues outside Socialite Bar Police brought a Review of the venues Premises Licence which resulted in the Licensing Committee revoking the venues Premises Licence in November 2016. The venue is still operating as the Licence Holder Mr Bryan John has appealed to Magistrates Court.

On Tuesday 16th May 2017 at Alex House myself and Daliah Barrett met the applicant Matthew Sutcliffe to discuss this application. I wished to know his history in running a night club and his connection with Socialite Bar that has led to this application. I expressed concerns that the venue will continue to attract crime and disorder and public nuisance and wanted to know how Mr Sutcliffe intended to reduce the serious risk of such crime / disorder.

Mr Sutcliffe stated his business is running 2 mini-cab offices, neither are in Haringey. He does not reside in Haringey. He said he has never been involved in running a night club. I asked if he had visited the venue late at night and he told me he had not as he was not aware the venue was still operating and he had not visited the area late at night. I advised him to do so. I asked him on his views regarding the venues Premises Licence being revoked and he said he was unaware that had happened. He told me he had not seen the publicity in the press about the venues license being revoked. He expressed his commitment to the venue saying he was attaching his name to it and would manage the venue attracting a new, preferably local clientele. With regards concerns from local residents he stated he has not liaised with them but would try and do so to alleviate their concerns.

I expressed concern that despite his reassurances that he would run a crime / disorder free venue if business was not profitable the Premises Licence could be transferred it to someone else who may not share his commitment. He told us he wanted a long term commitment. I asked how long his lease on the venue would be and he said it was a 2 year lease from Mr John. We pointed out that Mr John could then reclaim the venue and Mr Sutcliffe said he would discuss a longer lease with Mr John.

We discussed the venues clientele and he was not aware it was mostly people from outside the area and said he would try and attract local residents but could not explain how he was going to do that. He mentioned playing Jazz music but stated that was an example of what he might do and eventually told us his way of deterring clients who may cause crime and disorder was to see what they looked like and refusing entry if they looked to be a potential risk. When we pointed out that the area is served by one bus route which meant clients walking along residential streets in the early hours to get to the train / tube station resulting in complaints of crime and public nuisance Mr Sutcliffe stated he could have his minicabs in the area.

The main thrust of our conversation was to point out the very serious crime and disorder previously related to the late night licensed venues at this location including shootings, stabbings 'bottlings' and large scale fights in the street

immediately outside the venues resulting in 2 Premises Licences being revoked and the third under Review and ascertain how Mr Sutcliffe would reduce the crime / disorder and public nuisance considering he had applied for even later hours at the venue. Mr Sutcliffe could not give us any specifics but assured us he would do his best to reduce risk.

When Mrs Barrett pointed out planning permission for the venue restricted the hours of operation to 0200 Monday to Saturday and no opening Sundays and Bank Holidays Mr Sutcliffe was unaware of those restrictions and stated he would apply to extend the hours to those requested in his application.

As stated the area immediately around the Socialite Bar is more residential than when original Premises Licences were granted. There is a long history of serious crime and disorder associated with the 3 now 2 clubs at the location and this does not take into account the public nuisance generated by clients loitering outside venue blocking the footway resulting in some standing in the road obstructing traffic and risking an accident, talking / shouting, parking in a restricted area sometimes double parking.

There is no mention in the application of CCTV. Applicant mentions consistently working with the local safer neighbourhood team but they finish at 0200 and that is only one week in four so I fail to see how they could assist with late night crime / disorder.

Police wish to object to the grant of this licence as the client has shown no knowledge regarding the location, the background of the venue or the issues arising from the late night economy and how he would alleviate them and Police believe the serious crime and disorder associated with these venues will continue. Recent crime reports refer to people leaving the Mossy Wells Public House late at night and entering the night clubs who operate much later. Police consider the only way to reduce risk of alcohol fuelled violence / disorder at this location is for alcohol sales to cease at 2330 and the venue close at 0000 as opposed to clients coming from other licensed venues and continuing to consume alcohol until, in this case, 0400 hours at weekends.

Should the Committee wish to grant the application then Police request the following Conditions be added to the Premises Licence:

THE PREVENTION OF CRIME AND DISORDER

Digital CCTV system cameras will be upgraded to provide identifiable images required by Condition on Premises Licence.

Cameras must be sited to observe the designated smoking area.

Cameras must be sited to observe all public areas of the licensed premises, including all public entry and exit points from inside, and the street environment where clients smoke.

Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification of every person entering in any light condition.

Provide a linked record of the date, time, and place of any image.

Provide good quality images - colour during opening times.

Have a monitor to review images and recorded quality.

Be regularly maintained to ensure continuous quality of image capture and retention.

Staff trained in operating CCTV shall be present on the premises at all times when open to the public. This staff member shall be able to show the Police or the Licensing Authority recordings of the preceding two days immediately when requested

Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require.

A minimum of 4 SIA Registered officers will be on duty from 2100 or when venue opens to the public if after 2100, until venue closes and clients dispersed from the vicinity. 2 SIA Officers in yellow jackets will control entry to the venue and clients smoking / loitering outside venue.

An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder (disturbance caused either by one person or a group of people)
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

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

The premises Licence Holder shall ensure that the premises shall adopt a Club ID scan or suitable equivalent which will be utilised as part of the conditions of entry after 9pm on any day when regulated entertainment is taking place at pre-booked functions. The Club ID scan or suitable equivalent shall require patrons seeking to enter to be subject to an entry process whereby a photograph must be taken, and in addition fingerprints, documentation, or other means are provided to enable identification of each patron to take place. The equipment must have suitable export method to enable copies of images to be downloaded and give to Police or Licensing Authority on request.

The premises Licence Holder shall ensure that signage will be placed at the entrance to the premises which is clearly visible to inform customers 'No I.D.-No Entry'.

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
If Printed please remember to dispose of as Confidential Waste**

Licensing Authority

Anderson Chanel

From: Barrett Daliah
Sent: 23 May 2017 11:42
To: Anderson Chanel
Subject: FW: Rep 272 MUSWELL HILL BROADWAY

Dear Mr Sutcliffe,

The Licensing Authority is making representation against the application for a new premises at 272 Muswell Hill Broadway N10.

The main reason for making the representation is that the premises were subject to a recent review due to the negative impact from the late night operation of the venue on local residents and the applicant seeks to operate another late night venue regardless of the recent matters. The current licence is under appeal lodged by the main leaseholder Mr John. It is our understanding that Mr John is prepared to sublet to Mr Sutcliffe the new applicant for the application to which this representation relates.

The premises has been a used as a night club /late night venue for many years and was able to cross over into the new process under grandfathered rights in 2005. The premises operated in the Muswell Hill Broadway area alongside other late night venues, namely Cafe Loco now called Metropolitan Bar, this licence is also currently under review brought by the Police. Club 56 which had its licence reviewed due to failure to uphold the crime and disorder objective. There is a late night kebab shop in between the two remaining venues. Across the road is The Mossy Wells which operate as a pub with a 2am licence. The mix of late night venues in the area has meant that Muswell Hill has been an area that was considered the most likely to be considered as a 'cumulative impact area' due to the mix of late night venues. It is true to say that the Broadway has had its share of cumulative impact type issues as a result of the late night venues in operation in the area. This has ranged from nuisance from people noise, illegal minicab hire issues, cars parked illegally, drugs being consumed in the vicinity and major fights in the street from people attending the clubs in that area. In more recent times this has culminating in stabbings and shootings taking place in the area.

The area of Muswell Hill has been going through change and regeneration in terms of residential properties being built in close proximity to these late night premises. Club 56 no longer exists and the land has now been used to build residential property.

The application by Mr Sutcliffe is seeking a licence with later hours than even the current licence that remains in place until the outcome of the Magistrates hearing in July 2017. It is concerning that the new applicant has submitted an application seeking such late hours at a venue that has now been shown to not be suited for such hours. The fact that the applicant is requesting these hours raises questions on the potential impact of such later hours of operation by the applicant.

The Home Office Guidance issued under Section 182 Guidance places a requirement on applicants to demonstrate when setting out steps they propose to take to promote the licensing objectives that they understand the area.

The applicant states that the premises are located in the heart of Muswell Hill providing a mix of hospitality and leisure type businesses. No details of how this is an enhancement or how this benefits the application. The applicant needs to identify and clarify how the application sought would not impact on the licensing objectives, rather than making a general statement with no supporting evidence or reasoning. The applicant states that all of the licensing objectives will be at the front of mind and adhered to by all team members and promoted by way of meetings and training as part of the operation of the new premises and business and must be accepted as a positive enhancement over the existing premises and enhancement to the licensing objectives without doubt. No details of how the training and meetings would promote the licensing objectives. No details are provided of how this improves the proposed operation.

The Prevention of Crime and Disorder

The applicant states that this will be managed by check and test procedure and they will proactively seek feedback from local community. The installation on Scanet and zero tolerance regarding 'No ID No entry'

It would be expected that the applicant would have a written drugs policy for all types of drugs. No details are given on how the applicant will try to work with the local police to reduce crime. This proposal does not offer any concrete or measurable steps that the applicant will take, or any assurance that any work with the police would actually take place.

The licensing authority would expect a condition regarding CCTV, which uses modern terminology, this condition should include a commitment to ensure all areas of the premises, including all points of access and egress, are adequately covered. No details are given on how customers would be prevented from leaving with open containers of alcohol. A detailed security policy would be required from the applicant to address these and similar concerns about the placement and duties of the door staff.

Public Safety

No details are given about how the queuing system will be managed, or what the capacity of the venue is going to be.

No details are given on how often the escape routes and exits will be checked, or how the rear access will be kept clear.

The prevention of public nuisance

No mention of how noise will be contained is shown within the application. The applicant should be detailing exactly what steps they will take to prevent any noise nuisance.

No details are given on how the management will work with door staff. We would expect to see a detailed and comprehensive security policy covering access and egress to the premises plus the security of customers while they are on the premises.

The protection of children from harm

No details are given on how entry to the premise will be restricted and monitored.

Having carefully considered this application and the applicant's operating schedule, the licensing authority wish to object to the grant of this licence, as in its current form, the application shows that the applicant has not fully apprised himself of the background of the premises and the area and this is reflected in the inadequate operating schedule that has been submitted. The application form does not alleviate the concerns surrounding the operation of a late night venue at the premises. The hours being sought are no longer suitable for the venue in this vicinity and has shown that having such late hours has head to crime and disorder being a realistic cause for concern in the area that has adversely impacted on residents. Since the submission of the application Planning have made representation also to clarify that the actual hours of operation permitted under the Planning permission permits operation until 2am each day with no opening on Sundays or Bank Holidays. We consider that given the history of the venue that at 2am would be too late an hour for operation in this location and if the LSC were minded to grant a licence to Mr Sutcliffe that the hours be limited to 11pm for licensable activity and closure by midnight.

Should the LSC committee be minded to grant we would wish to see more stringent conditions to be attached to the venue such as:

Extensive CCTV in line with the Met Police requirements.

The use of ID Scan on entry by all patrons to the premises.

Challenge 25 implemented.

Licensing Team Leader



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

T. 020 8489 8232
daliah.barrett@haringey.gov.uk

www.haringey.gov.uk

Enforcement Response

Licensing Consultation

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation: George Roberts

Our Reference: WK/000381516

Date: 24th May 2017

Premises: Socialite Bar, 272 Muswell Hill Broadway, Hornsey, London, N10 2QR

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
- 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

The proposed operating hours are inappropriate due to the close proximity of residential dwellings

The noise caused by patrons exiting the premises and locating suitable transport home is likely to be detrimental to the residential amenity. This may be exacerbated by the level of public transport available at the proposed closing hours.

Supporting Information

We frequently have complaints regarding this venue, regarding the volume of the music, people and vehicle stereo noise, generated by the venue attracting customers to the area very late at night.

A noise abatement notice was served on the premises dated 4th October 2012, and we also issued a warning letter on 20th December 2016 for loud music, and a breach of license conditions warning letter, although we are seeking through this new application to replace the condition that caused this breach, and a further breach on 28th January 2017 to occur, and have a more appropriate condition for reasons of fairness and practicality on the new license, relating to the installation of a sound limiting device, referred to in the proposed conditions later in this representation.

In total we have received 45 complaints from 29th October 2011 from 17 different complainants with the latest one being on 30th April 2017

This representation recommends that the following alterations/conditions to the operating schedule:

Operating hours

That the premises closes no later than 02:00 hrs on Fridays & Saturdays

That the premises closes no later than 01:00 hrs on Sundays to Thursdays

That regulated entertainment ceases at 01:30 hrs on Fridays & Saturdays

That regulated entertainment ceases at 00:30 hrs on Sundays to Thursdays

Reason: To reduce impact of noise after premises closes on residents living in close proximity to the venue.

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 entrance on Muswell Hill Broadway 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

Other doors e.g. fire doors

The rear door will be fitted with an alarm that instructs staff when the door has been opened

The rear door should remain closed at all times while regulated entertainment occurs.

Structure borne noise

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

Sound limits

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 a limiting device set at a level which upon request may be agreed with the licensing authority. It will be a responsibility of the Premises Licence holder to request assistance, in writing and to ensure that the limiter is working effectively.

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 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 frontage for smoking will be restricted to 2 persons

Deliveries and collections.

Deliveries and collections associated with the premises will be arranged between the hours 08:00 hrs & 20:00 hrs so as to minimise the disturbance caused to the neighbours

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

Patrons entering/exiting premises.

When the premises turn out, a licensed door supervisor shall supervise patrons and ensure they queue and 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.

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

Appendix C- Other Parties

Anderson Chanel

From:
Sent: 07 May 2017 15:37
To: Barrett Dallah
Subject: Licence appeal for Socialite Bar

Dear Ms Barrett

I have been made aware that the Socialite bar on Muswell Hill has made an application for its Licence to be renewed on appeal. The application should not be granted for the following reasons relating to the anti-social behaviour of customers:

- sat in their cars smoking marijuana
- sat in their cars with doors open and music blaring, shouting, arguing, partying – this for some duration and very late at night/early morning.
- driven cars down the road at high speed – cars have in the past been damaged by what sounds like two cars racing.
- urinated against walls, up against shops, and in doorways
- partied in the area now known as the The Pinnacle .
- defecated in in public areas and private dwellings
- littering – broken glass is prevalent
- the shootings and stabbings – reported and known to the police.

Fundamentally, the club goers make Muswell Hill an unsafe environment and the Socialite Bar seems to have no wish to take responsibility for the actions of their customers.

I have an 18 year old son and am a great supporter of providing venues for socialising and the opening of Wetherspoons has been welcomed. However, The Socialite Bar and its customers have a complete disregard for their neighbours and should not be granted a Licence.

Yours Sincerely

Anderson Chanel

From:
Sent: 07 May 2017 12:52
To: Barrett Dallah
Subject: Socialite Bar - objection to late licence

Dear Ms Barrett

Re: Licence appeal for Socialite Bar

I am worried that the Socialite Bar may be granted a renewed licence. I would also like to object to the Metropolitan Bar having a licence to close as late as it does. I cannot believe I am having to express such concerns so soon after the council revoked their license - what is the point of our feedback? can you not see the severity of the situation?!

Since the Socialite Bar has closed there has been a noticeable reduction in occurrences of anti-social behaviour. When it was open, there was continual bad behaviour from the bar's customers. How do we know they were going there? Because their arrival to the area happened when every other business except this and the Metropolitan Bar were still open. We also on occasion followed people to see where they were going.

On the way into and out of the bars, they have (and continue to):

- sat in their cars smoking marijuana - clearly detected from our front bedroom and visible from there, too.
- sat in their cars with doors open and music blaring, shouting, arguing, partying - this for some duration and very late at night/early morning.
- driven cars down the road at high speed - cars have in the past been damaged by what sounds like two cars racing.
- urinated against our front walls, up against shops, in doorways and (seen three weeks ago), up against the Baptist Church at the top of the road.
- partied in the area behind our home (now The Pinnacle) - this usually happened from 3am onwards and would go on until about 7am.
- littering - broken glass is particularly noticeable in the street and our front gardens on a Monday.
- the shootings and stabbings - reported and known to you and the police.

The truth is, Muswell Hill simply does not have the level of policing necessary to cope with the presence of nightclubs and the difficulties they bring.

It does not feel safe late at night to walk around Muswell Hill because of these club goers, who are not locals.

There are now more residential units above and opposite the clubs (at 56 and 77 Muswell Hill) and so more residents than before will be negatively affected by the noise, violence and littering caused by these clubs' clientele. Many of them may not yet be aware of how bad things can be when both bars are open (one is bad enough and the Wetherspoons' clientele can be just as bad, but at least Wetherspoons closes at a vaguely decent hour). So, on our behalf and on behalf of the new

residents coming to this part of Muswell Hill, I urge you to fight a new licence being granted.

Many thanks

,previously lived on Queens Ave so saw first hand the issues)

Anderson Chanel

From:
Sent: 07 May 2017 11:44
To: Barrett Dallah
Subject: Socialite Bar/Metropolitan Bar

Dear Ms Barrett

Re: Licence appeal for Socialite Bar

I live at . . . , the end nearest the Broadway in Muswell Hill and am worried that the Socialite Bar may be granted a renewed licence. I would also like to object to the Metropolitan Bar having a licence to close as late as it does.

Since the Socialite Bar has closed there has been a noticeable reduction in occurrences of anti-social behaviour. When it was open, in the vicinity of our house, there was continual bad behaviour from the bar's customers. How do we know they were going there? Because their arrival to the area happened when every other business except this and the Metropolitan Bar were still open. We also on occasion followed people to see where they were going.

On the way into and out of the bars, they have (and continue to):

- sat in their cars smoking marijuana - clearly detected from our front bedroom and visible from there, too.
- sat in their cars with doors open and music blaring, shouting, arguing, partying - this for some duration and very late at night/early morning.
- drove cars down the road at high speed - cars have in the past been damaged by what sounds like two cars racing.
- urinated against our front walls, up against shops, in doorways and (seen three weeks ago), up against the Baptist Church at the top of the road.
- partied in the area behind our home (now The Pinnacle) - this usually happened from 3am onwards and would go on until about 7am.
- defecated in our front garden - I witnessed this myself but there were three men and I did not tackle them - although I did report it to 101.
- littering - broken glass is particularly noticeable in the street and our front gardens on a Monday.
- the shootings and stabbings - reported and known to you and the police.

On many occasions in the past I called the police (101) and reported; I also reported noise nuisance. However, it was extremely unusual to receive anything but a call back by phone from the police to any complaint. The truth is, Muswell Hill simply does not have the level of policing necessary to cope with the presence of nightclubs and the difficulties they bring.

Because of the night time noise, we all sleep in bedrooms at the back of the house. It is simply too noisy to sleep in the front bedrooms. But even in the back bedrooms, the noise caused by the clientele of the club(s) have had a negative on our ability to sleep (once, a party continued after the clubs closed on Christmas Eve and we were kept awake all night, ruining our Christmas Day completely).

Incidentally, it does not feel safe late at night to walk around Muswell Hill because of these club goers, who are not locals.

I have communicated with the Socialite Bar's management on Facebook about this but they don't have a proactive approach in controlling their clientele's behaviour once they have left the premises.

There are now more residential units above and opposite the clubs (at 56 and 77 Muswell Hill) and so more residents than before will be negatively affected by the noise, violence and littering caused by these clubs' clientele. Many of them may not yet be aware of how bad things can be when both bars are open (one is bad enough and the Wetherspoons' clientele can be just as bad, but at least Wetherspoons closes at a vaguely decent hour). So, on our behalf and on behalf of the new residents coming to this part of Muswell Hill, I urge you to fight a new licence being granted.

Many thanks

Anderson Chanel

From: [REDACTED]
Sent: 08 May 2017 18:15
To: Rarratt Dallah
Cc: [REDACTED]
Subject: Socialite Bar and Metropolitan Bar N10

Dear Dahlia

I am writing to you as the freeholder of the Pinnacle N10 development next door to Bar Metropolitan in Muswell Hill. Our development comprises 34 apartments and houses and we have sold 70% of it to new residents, most of whom have now moved in. Many of them will no-doubt write to you individually but I am writing as a very concerned local business owner and employer of over 100 builders and tradespeople on site.

We know that several our residents have expressed concern about the nightclubs 'Bar Metropolitan' and 'The Socialite Bar' which are located next to Block A (Ashmount Lodge) at the front of our site. We understand that noise from the clubs' sounds systems can be heard during the nights and weekend and that club patrons are illegally using our car park. They are noisy and antisocial and regularly leave rubbish on the street outside the club. Most of the patrons are not local and therefore do not treat the local area with respect. Muswell Hill has always been a residential area with many flats above shops and the new developments at Pinnacle and 77 Muswell Hill have added over 100 new residents to the locality. Late night clubs are totally out of place in the supposedly friendly 'village' atmosphere of Muswell Hill and there have been numerous reports of antisocial behaviour, criminal activity and violence in these clubs in the past 6 months.

I personally asked the manager of Bar Metropolitan to clean graffiti off his wall next to our site and he said he would 'but that it will only come back' in his words. We ended up doing it ourselves at our own expense last week. I also asked him to ensure his patrons did not use our car park but he told me that it was not his problem and that we should employ our own security to stop it.

I also asked him to clean the daily litter outside his establishment that piles up every morning, from cigarette butts, chewing gum, takeaway cartons, beer cans to used condoms etc. He told me that 'this is what he pays his business rates for.' The noise is apparently overbearing according to our leaseholders and frankly there is no place for such a disreputable establishment in Muswell Hill. It is not serving the local community but instead attracts a clientele from all over North London who have no interest in the wellbeing of local residents or the surrounding area. We have lost sales as a result of potential purchasers visiting the site in the evening and being put off by the negative and threatening atmosphere around the bars.

It is intolerable that these clubs are allowed to remain in business. They offer nothing but trouble for the families and residents living the area and the clubs are a proven magnet for crime. The limited employment they create could be more than replaced by other businesses taking over the premises in what is a fast-improving area of the Broadway and these clubs are a relic of an era when this end of Muswell Hill was a no-go area. Please take this as notice of objection to the renewal of the licence at The Socialite bar and the request of an immediate suspension of the licence for Bar Metropolitan.

Yours faithfully,

t: +
m:
a:
w: www.sasinvestments.co.uk

Anderson Chanel

From: ..j
Sent: 09 May 2017 15:01
To: Barrett Dallah
Subject: Socialite nightclub licence

Dear Ms Barrett

Re: Licence appeal for Socialite Bar

I live at .., the end nearest the Broadway in Muswell Hill and am worried that the Socialite Bar may be granted a renewed licence. I would also like to object to the Metropolitan Bar having a licence to close as late as it does.

Since the Socialite Bar has closed there has been a noticeable reduction in occurrences of anti-social behaviour. When it was open, in the vicinity of our house, there was continual bad behaviour from the bar's customers.

We know that they were patrons of the Socialite Bar as the nuisances would occur at a time of night when only the Socialite / Metropolitan Bar were still open .

A non exhaustive list of things that have occurred:

- rally races up and down Dukes Ave, revving their engines and screeching their breaks
- sat in their cars smoking marijuana
- sat in their cars with doors open and music blaring, shouting, arguing, partying - this for some duration and very late at night/early morning.
- driven cars down the road at high speed - cars have in the past been damaged by what sounds like two cars racing.
- one night a drunk person leaving the club drove into and hit 6 cars all the way down the road culminating with destroying my sister's car outside our house.
- urinated against our front walls, up against shops, in doorways
- taking our wheelie bins and throwing them down the street.
- littering - broken glass is particularly noticeable in the street and our front gardens on a Monday.
- the shootings and stabbings - reported and known to you and the police.

Muswell Hill simply does not have the level of policing necessary to cope with the presence of nightclubs and the difficulties they bring.

Because of the night time noise, we all sleep in bedrooms at the back of the house. It is simply too noisy to sleep in the front bedrooms. But even in the back bedrooms, the noise caused by the clientele of the club(s) have had a negative impact on our ability to sleep.

Incidentally, it does not feel safe late at night to walk around Muswell Hill because of these club goers, who are not locals.

There are now more residential units above and opposite the clubs (at 56 and 77 Muswell Hill) and so more residents than before will be negatively affected by the noise, violence and littering caused by these clubs' clientele. Many of them may not yet be aware of how bad things can be when both bars are open (one is bad enough and the Wetherspoons' clientele can be just as bad,

but at least Wetherspoons closes at a vaguely decent hour). So, on our behalf and on behalf of the new residents coming to this part of Muswell Hill, I urge you to fight a new licence being granted.

Many thanks

Anderson Chanel

From:
Sent: 09 May 2017 15:13
To: Barrett Daliah
Subject: Socialite Bar Licence Appeal

To Daliah Barrett,

I would like to make a statement in regards to the Socialite Bar Licence hearing appeal.

Name: A
Address:
Occupation:
Age: 1

I would like to talk about the Socialite Bar Licence hearing appeal. I live opposite the Socialite Bar on Dukes Mews and have lived here for the past 4 years. The club is a constant source of noise, nuisance and trouble, particularly on Friday and Saturday nights. I have / had a number of issues with the club over the past few years which include;

- Very loud music, particularly the bass which travels across the road and through our building. As many of the properties in the area have single glazing this is particularly problematic. This does an adverse effect on my sleeping and whilst I understand the weekends are different, they often host very large Bank Holiday weekend events which include the Monday night which is, in my view, completely anti-social.
- The customers leave very noisily. They are usually blind drunk, shouting and tend to loiter for a very long time. There is absolutely no effort by any member of staff to try and tell them to be quiet or move them along.
- It seems to attract a large number of people from outside of the area. This means they all arrive in cars which they loiter around in the street. This includes blaring very loud music from the cars, shouting and arguing around the vehicles, revving engines and slamming car doors. I have personally seen many people leave the club and proceed to drive away whilst completely drunk which is incredibly dangerous.
- I have seen a lot of drug taking, especially along the mews, which is usually weed or more often cocaine, which they do either before they enter the club or they leave the club to come and do it and then return. I have also seen a lot of drug deals taking place in the vehicles coming to the club as mentioned above.
- The customers regularly urinate up my front door which I then have to go out and clean. If you catch them and ask them to stop they become incredibly abusive.
- I have witnessed many, many fights between customers from the club. This includes a knife attack (January 28th 2017), a very large brawl involving about 30 people to which several police vans eventually turned up to stop, lots of men hitting each other.
- Most importantly there was a recent incident involving a firearm and a shooting outside my flat (4th November) which whilst gang related, they were definitely associated with the club.
- I have emailed the noise complaint team at Haringey before, but nothing comes of it.
- I have called the police a few times in relation to the fights in Muswell Hill but they do seem to take a long time to mobilise.

- I believe the problem is exacerbated by the relationship of the club with the Metropolitan Bar, and to some extent, the Wetherspoons. People seem to spend all night drinking in those two establishments before then piling into the club when they're already far too drunk.
- Kick out time (between 3-4am) is incredibly noisy and very anti-social.

I firmly believe that since the club closed there has been a vast improvement in anti-social behaviour and noise in general. It has made a big difference to my life, especially at the weekend, and to my neighbours with whom I have spoken about it with. I strongly believe that Muswell Hill is not the right place to host a nightclub. It is a mainly residential area with young families and working professionals, which seems at odds with the trouble this club causes. I recognise the need to have a diverse local economy, and that includes a night time economy, but this is not the right place for it. I believe this club does nothing but cause trouble, noise and create a general sense of being unsafe within Muswell Hill.

I hope this helps paint a more realistic picture of what occurs within the Broadway area for your inclusion in the case.

I don't think I would be very comfortable appearing in court though so would ask not to participate in that if that's OK?

Many thanks.

Andrew...

~~...~~
~~...~~
E:/



Anderson Chanel

From:
Sent: 09 May 2017 14:17
To: Barrett Dallah
Subject: Socialite Bar

Dear Ms Barrett

As a resident of Muswell Hill, I am writing to appeal against the council renewing a licence for the Socialite Bar

Since the Socialite Bar has closed there has been a noticeable reduction in occurrences of anti-social behaviour. When it was open, there was continual bad behaviour from the bar's customers. How do we know they were going there? Because their arrival to the area happened when every other business except this and the Metropolitan Bar were still open. We also on occasion followed people to see where they were going.

On the way into and out of the bars, they have (and continue to):

- sat in their cars smoking marijuana - clearly detected from our front bedroom and visible from there, too.
- sat in their cars with doors open and music blaring, shouting, arguing, partying - this for some duration and very late at night/early morning.
- driven cars down the road at high speed - cars have in the past been damaged by what sounds like two cars racing.
- urinated against the front walls, up against shops, in doorways and (seen three weeks ago), up against the Baptist Church at the top of the road.
- partied in the area - this usually happened from 3am onwards and would go on until about 7am.
- littering - broken glass is particularly noticeable in the street and our front gardens on a Monday.
- the shootings and stabbings - reported and known to you and the police.

Muswell Hill simply does not have the level of policing necessary to cope with the presence of nightclubs and the difficulties they bring. Incidentally, it does not feel safe late at night to walk around Muswell Hill because of these club goers, who are not locals.

More residents than ever before will be negatively affected by the noise, violence and littering caused by these clubs and their clientele. Many of them may not yet be aware of how bad things can be.

I urge you, please, to fight a new licence from being granted.

Many thanks.

Yours sincerely,

Muswell Hill Resident.

Witness Statement

LONDON BOROUGH OF HARINGEY

Statement of INSERT NAME HERE

Age 'over 15'

Address:

This Statement, consisting of 6 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signed: Date: 26/04/17

Signature witnessed by: Date:

Dear Sir/Madam,

This representation is made in my personal capacity as a resident of:

I have lived in for 1 year and Muswell Hill for 5 years. I and my fiancée and our three sons aged 18, 20, 22 live at this address. I work from home in property management.

My family live close to the Socialite bar (a three minute walk) near the bus stops that my sons use to get to work and college. We do not believe that the nightclub is in a suitable area. Muswell Hill is a residential area. The people who frequent this club do not live in Muswell Hill.

Our concerns have escalated over the last 12 months because of the increasing frequency of the criminal incidents involving the Socialite club.

I have seen...

1. Open Drug selling

2. Fights

3. Shop windows smashed

4. Blood on the road and walls from fights on Dulce's Avenue, the residential Road near the club.

5. Broken glass every morning and drug and alcohol paraphenelia littered all over the street.

6. Police cautions are usually involved blocking the road and access on pavement.

7. There was a shooting on Dulces Avenue ^{resulting} with Muswell Hill on lockdown.

The situation is untenable and must stop. My boy's are terrified to go out after 7pm on the weekends.

This club needs to be shut-down and residents can live with out fear for themselves or their loved ones.

Kind regards



LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	Name. Address... Postcode....	HARINGEY COUNCIL
		LICENSING RECEIVED
		18 MAY 2017

Licence application you wish to make a representation on

You do not need to answer all of the questions in this section, but please give as much information as you can:

Application Number.....

Name of Licensee...MATHEW JON SUTCLIFF.....

Name of Premises (if applicable)...SOCIALITE BAR.....

Premises Address (where the Licence will take effect).....
...272 MUSWELL HILL BROADWAY
.....
.....

Postcode...N10 1 QR.....

Reason/s for representation

*Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet **Variations, Representations and Appeals for Premises Licences and Club Premises Certificates**).*

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

There have been several instances of violence at this club. Last year there was a well reported shooting.

Every Friday and Saturday night crowds gather outside until after 4am. We have witnessed patrons exposing themselves and urinating in the street. Sometimes they vomit in the street. They visit the kebab shop next door and cartons and general mess everywhere.

Public Safety

Patrons park illegally in the clearway bus lane and this caused all night buses to swerve into the middle of the road.

The Prevention of Public Nuisance

Rowdy behaviour car doors slamming at 4.30 am. Some patrons gather outside the building. We have security/concierge service all night they feel intimidated and they are advised by the police not to approach these people as they may be attacked.

The Protection of Children from Harm

I, ...: _____ hereby declare that all information I have submitted is true and correct.

Signed:

Date:

7/05/2017

Please send completed form to:

Haringey Council Licensing Team
Alexandra House,
Level 6,
10 Station Road,
Wood Green
London, N22 7TR



LICENSING ACT 2003 - REPRESENTATION FORM

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Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	HARINGEY COUNCIL LICENSING RECEIVED 18 MAY 2017	
		Name.....
		Address.....
Postcode.....		

Licence application you wish to make a representation on

You do not need to answer all of the questions in this section, but please give as much information as you can:

Application Number.....

Name of Licensee...MATHEW JON SUTCLIFF.....

Name of Premises (if applicable)...SOCIALITE BAR.....

Premises Address (where the Licence will take effect).....
 ...272 MUSWELL HILL BROADWAY

Postcode...N10 1 QR.....

Reason/s for representation

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

There have been several instances of violence at this club. Last year there was a well reported shooting.

- SINCE MOVING IN TO WITH MY WIFE AND DAUGHTER WE HAVE SEEN PARKED CARS ON THE SIDE ACCESS ROAD TO OUR FLAT INTO THE FAMILY HOURS, WITH LARGE GROUPS PLAYING LOUD MUSIC ON CAR STEREO'S IN THE FAMILY HOURS, OR WHAT APPEARS TO BE DRUG DEALING FROM THE BACK OF CARS. THE ROAD IS LITTERED IN THE MORNING WITH TAKE AWAY RUBBISH, ALCOHOL CONTAINERS AND DRUG PARAPHERNALIA.

Public Safety

VISITORS TO THE CLUB, PARK IN THE BUS LANE OR OUR SIDE ACCESS ROAD, INHIBITING ACCESS TO OUR CAR PARK. GROUPS GATHER HERE AND WE FEEL UNSAFE RETURNING HOME LATE AT NIGHT IN OUR CAR. MY DAUGHTER WHO IS 17 AND NEWLY PASSED HER DRIVING TEST HAS ON 2 OCCASIONS FELT TOO INTIMIDATED BY THE GROUP, SO WAS REVERSED AND DRIVEN TO A FRIEND'S HOUSE INSTEAD OF DRIVING INTO OUR UNDERGROUND CAR PARK.

The Prevention of Public Nuisance

GROUPS FROM THE BAR CONGREGATE AT OUR FLAT ENTRANCE AND LEAVE "TAKE AWAY" DEBRIS AND ALCOHOL CONTAINERS AND URINATE. THEIR PRESENCE IS ALSO VERY INTIMIDATING IF WE RETURN HOME FROM AN EVENING OUT. MY TEENAGE DAUGHTER NOW PREFERENCES TO STAY AT A FRIEND'S HOUSE AT THE WEEKEND THAN RISK RETURNING HOME AND HAVING TO PASS LARGE GROUPS OF MALES IN A DRUNKEN STATE.

WE ARE FREQUENTLY KEPT AWAKE OR WOKEN BY NOISE CAUSED BY LARGE GROUPS WHO CONGREGATE ON THE ACCESS ROAD AT THE SIDE OF THE FLATS.

The Protection of Children from Harm

MY 17 YEAR OLD DAUGHTER FEELS INTIMIDATED BY THE GROUPS OF MALES, CONGREGATING AT OUR FRONT DOOR OR CAR PARK ENTRANCE SIDE DOOR LATE AT NIGHT. SHE FEELS AT RISK TRYING TO COME HOME.

I,....., hereby declare that all information I have submitted is true and correct.

Signed:

Date: 15/5/17

Please send completed form to:

Haringey Council Licensing Team
Alexandra House,
Level 6,
10 Station Road,
Wood Green
London, N22 7TR



LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details		HARINGEY COUNCIL LICENSING RECEIVED 19 MAY 2017
Name...	[REDACTED]	
Address.....	[REDACTED]	
Postcode.....	[REDACTED]	

Licence application you wish to make a representation on	
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>	
Application Number.....	
Name of Licensee...MATHEW JON SUTCLIFF.....	
Name of Premises (if applicable)...SOCIALITE BAR.....	
Premises Address (where the Licence will take effect).....	
...272 MUSWELL HILL BROADWAY	
Postcode...N10 1 QR.....	

<p>Reason/s for representation</p> <p><i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i></p> <p><i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i></p>
--

<p>The Prevention of Crime and Disorder</p> <p>There have been several instances of violence at this club. Last year there was a well reported shooting.</p>
<p>Public Safety</p>
<p>The Prevention of Public Nuisance</p> <p>Customers leaving in the early hours are noisy and park illegally. They congregate outside this property and behave in an objectionable way.</p>
<p>The Protection of Children from Harm</p>

I,  , hereby declare that all information I have submitted is true and correct.

Signed: 

Date: 16/5/17

Please send completed form to:
Haringey Council Licensing Team
Alexandra House,
Level 6,
10 Station Road,
Wood Green
London, N22 7TR

Anderson Chanel

From: Licensing
Subject: FW: Socialite Bar - notice of application for premises Licence

From:
Sent: 19 May 2017 12:22
To: Licensing
Subject: Re: Socialite Bar - notice of application for premises Licence

Hello Dahlia, thank you for the reply

With the Socialite Bar being in such close proximity to the Metropolitan I can understand you may think the issues took place outside of the there, but I can assure you that the images taken were from incidents taking place outside the Socialite bar.

the socialite is currently applying for the new licence which states its intended operational hours of ' 12.00-3.30 Monday to Thursday' which was the case prior anyway.

I wish to have my representation considered for the Socialite bar still as well as the application underway for the Metropolitan too

Thanks

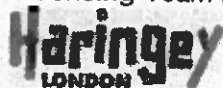
On Wednesday, 17 May 2017, Licensing <Licensing.Licensing@haringey.gov.uk> wrote:
Hello

I am not clear from the pictures provided which premises you are referring to. The pictures seem to depict things happening at Metropolitan whose entrance faces the units shown across the road in the picture. The black door with the blood outside seems to be showing the Socialite Bar entrance. The Socialite also do not open week days it seems they operate on a Friday and Saturday only.

Please let me know if you wish to have your representation considered for the new application at Socialite Bar and also the Review application underway at the Metropolitan Bar?

Regards

Daliah Barrett
Licensing Team Leader



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

T. 020 8489 8232
daliah.barrett@haringey.gov.uk

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

Please consider the environment before printing this email.

From:
Sent: 16 May 2017 17:56
To: Licensing; Barrett Daliah
Subject: Socialite Bar - notice of application for premises Licence

16th May 2017

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

To Whom it may concern,

I am writing to you in regards to the public notice of Application for the review of the premises licence of the Socialite Bar, 272 Muswell Hill Broadway, N10 2QR, in particular the prevention of noise.

My flat mates and I have lived at: _____ since Spetember 2016 but we have experienced nothing but trouble since our arrival here in early October.

We are situated on the second floor of the building and as I have discovered, the Socialite Bar is based in the lower ground floor of 272 Muswell Hill Broadway.

Regardless of the spatial distance, I personally am constantly disturbed not only at the weekends but during the week from the music and particularly the bass resonating from the club, through the building and into my bedroom. This appears to worsen during the hours of 1 to 4am when the sound system is turned up, the bass intensifies and my sleep is disturbed by this.

My flat mates and I have made multiple calls to the council regarding the noise and disruption from the Socialite Bar at 276 Muswell hill Broadway and have always had a visit from Mr George Roberts.

Nine different complaints have been noted and reference numbers have been given, these are;

- 1. T1392846**
- 2. T1411982**
- 3. T1419513**
- 4. T1425085**
- 5. T1451982**
- 6. T1476969**
- 7. T14811595**
- 8. T1481742**
- 9. T1549947**

On Sunday 30th April just after 11pm, I made a call to the council and requested one of the noise prevention officers attend our flat at 276 Muswell Hill Broadway to assess the noise coming from the Socialite Club next door as it was keeping us up and was excessively loud and disrupting.

My call was received and I was told I to expect a call from one of the officers.

Mr. Mark Eastwood soon called but informed me that he would not be attending to assess the noise as they were short staffed due to staff sickness.

We have also had Mr. George Roberts from the Noise Prevention team visit our flat on three occasions to assess the disturbances. After a call I made on Friday 25th November (ref T1425085), he agreed to come by back the following day between the hours of 2 and 4 am to experience this for himself.

Mr. Roberts arrived at our flat at 2am and was there for nearly an hour with his colleague.

During this time, he experienced the music and bass coming through the flat in both my bedroom and our front room, but also my flatmates bedroom which is at the front of the building and faces onto the main road.

Whilst in their bedroom, he happened to witness the disturbances outside the club which included fights in the street that security didn't have any control of, shouting and screaming from the club goers and people casually hanging about in the road, causing vehicles to avoid them and alert them by beeping the horn – I'm sure as you can imagine, not what needs to be heard at 3am at any time.

Besides the noise and bass issues that are a disturbance, the club itself seems to have a history of trouble and not a lot has changed there – the shooting that took place occurred behind our flat on Dukes Mews and in the short time we have been here, we have heard and seen other acts of violence and drunken

behaviour spilling out from the club and into the streets (One gentleman ended up with a metal bar to the back of the head a meter or two from our front door)

I have included images taken from our window of disturbances outside as well as blood that was on the front step of the club, situated next our front door.

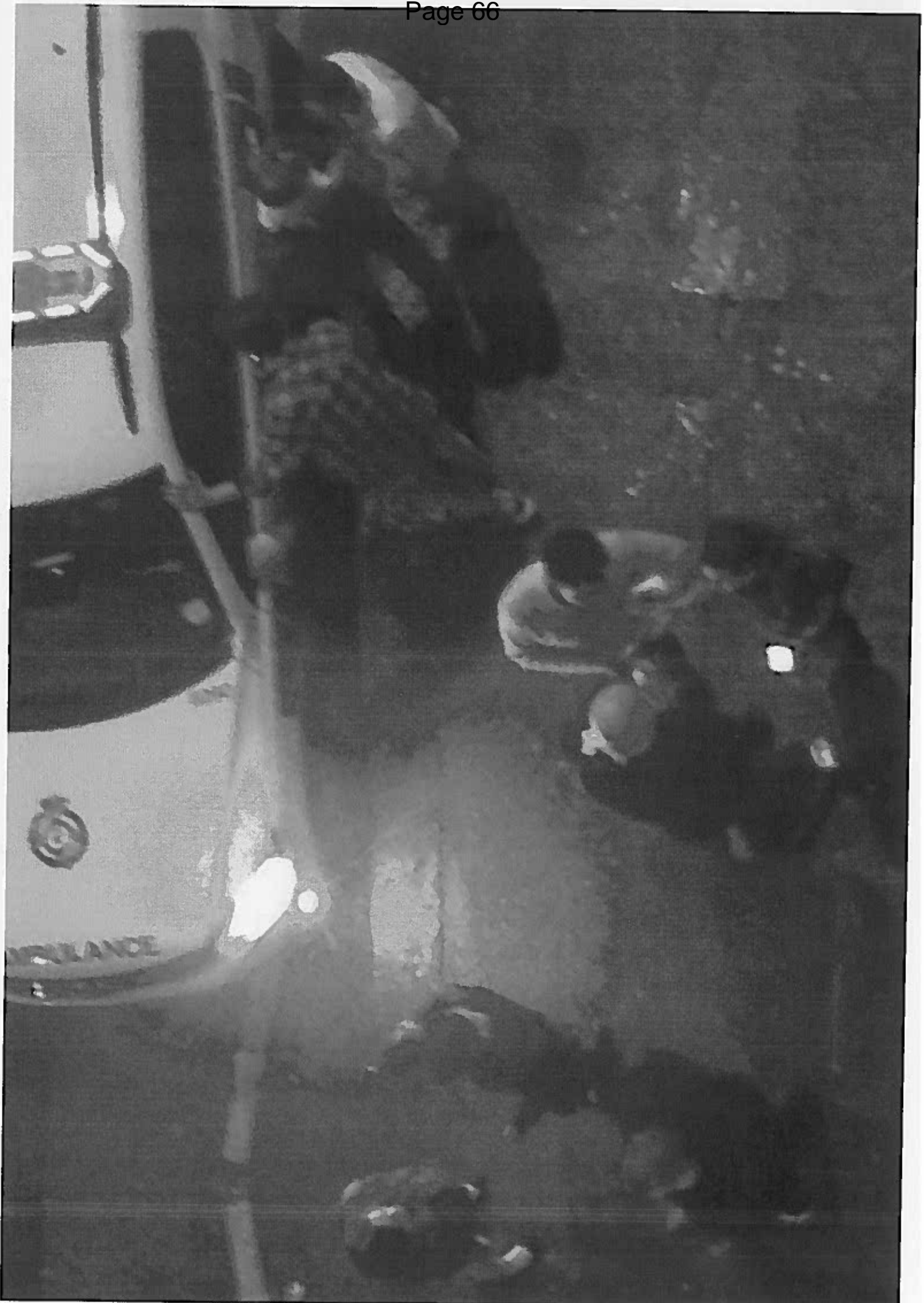
I'm sure as you can imagine, we haven't moved to such a nice area to constantly worry what will occur next outside our street door, potentially keeping us inside as the police and emergency services deal with another mess.

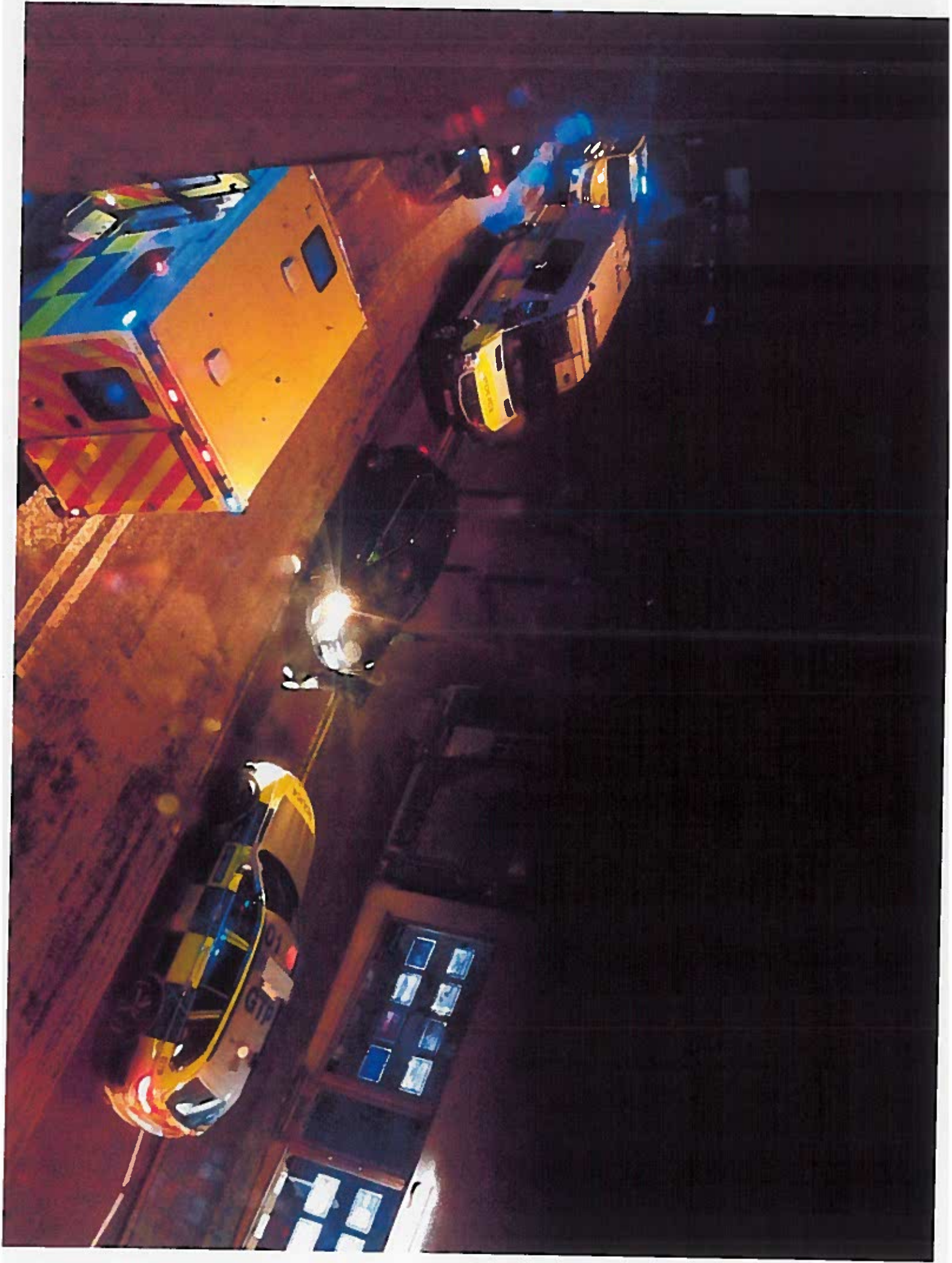
I personally feel that this club should have its licence revoked and cease from operating. Not only due to the noise disturbance it causes us in the flat, but the lack of control and respect from those running it seems to be non-existent.

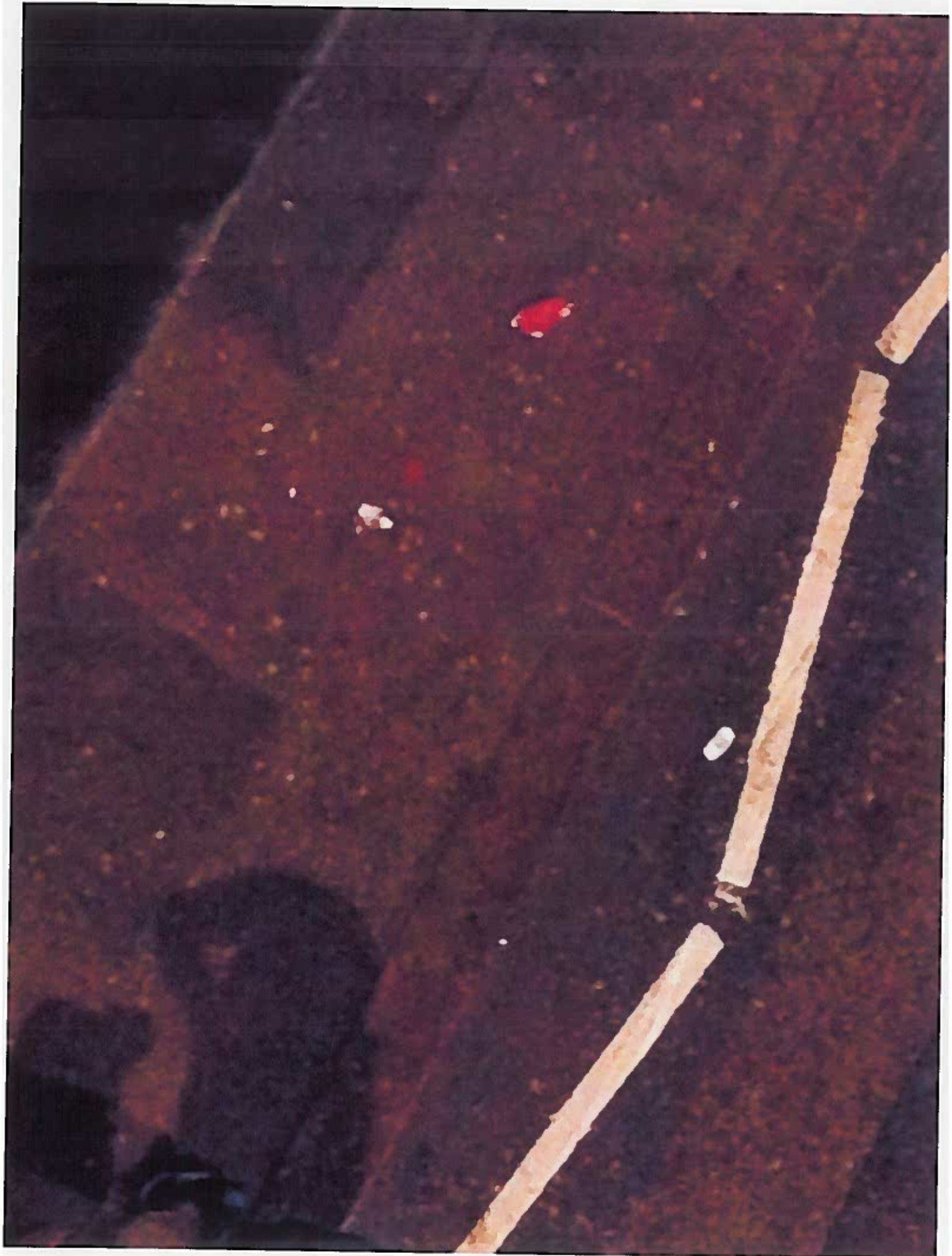
Yours sincerely

This email and any files transmitted with it are confidential, may be subject to legal privilege and are intended only for the person(s) or organisation(s) to whom this email is addressed. Any unauthorised use, retention, distribution, copying or disclosure is strictly prohibited. If you have received this email in error, please notify the system administrator at Haringey Council immediately and delete this e-mail from your system. Although this e-mail and any attachments are believed to be free of any virus or other defect which might affect any computer or system into which they are received and opened, it is the responsibility of the recipient to ensure they are virus free and no responsibility is accepted for any loss or damage from receipt or use thereof. All communications sent to or from external third party organisations may be subject to recording and/or monitoring in accordance with relevant legislation.











Anderson Chanel

From: Licensing
Subject: FW: Re Licence - socialite bar and metropolitan bar - graphic pictures
Attachments: FullSizeRender.jpg; ATT00001.txt; FullSizeRender.jpg; ATT00002.txt; FullSizeRender.jpg; ATT00003.txt; FullSizeRender.jpg; ATT00004.txt; FullSizeRender.jpg; ATT00005.txt; FullSizeRender.jpg; ATT00006.txt; IMG_1799.PNG; ATT00007.txt; IMG_1800.PNG; ATT00008.txt; FullSizeRender.jpg; ATT00009.txt; FullSizeRender.jpg; ATT00010.txt; IMG_1803.PNG; ATT00011.txt; FullSizeRender.jpg; ATT00012.txt; IMG_1805.PNG; ATT00013.txt; IMG_1806.PNG; ATT00014.txt; FullSizeRender.jpg; ATT00015.txt; FullSizeRender.jpg; ATT00016.txt; FullSizeRender.jpg; ATT00017.txt; IMG_1811.PNG; ATT00018.txt; IMG_1812.PNG; ATT00019.txt; FullSizeRender.jpg; ATT00020.txt; FullSizeRender.jpg; ATT00021.txt; FullSizeRender.jpg; ATT00022.txt; IMG_1816.PNG; ATT00023.txt

-----Original Message-----

From:
Sent: 19 May 2017 18:08
To: Licensing
Subject: Re Licence - socialite bar and metropolitan bar - graphic pictures

Dear Sir/Madame

Please note that this email contains a graphic pictures!

Please make a right decision and close down for good both clubs in Muswell Hill (Socialite bar and Metropolitan Bar) or do us residents a favour and stop bothering us (residents) to write petitions if you not willing to hear us - don't waste your and our time. I am angry, I am upset and frustrated for their licence being a case again. Don't let the crime to spread to Muswell Hill. Take a look on pictures below - ask yourself if you would like to have blue emergency light outside of you house each weekend.

I am in my late 30s professional woman. I am quite new to Muswell Hill and been in the area since August 2016 but seen enough. Living almost next to the clubs cost me a lot of stress/sleepless nights and has not good impact on my personal and professional life. Having a number of sleepless/stressful nights had impact on my health, mental health my relationship, flatmate, friendships, work. Work is a main thing for me. I am working for a global company that offers mainly customer service over the phone and emails. My job also involve a lot of interaction with suppliers. Being tired, sad, snappy, miserable and out of focus does not bring good results and is not well received by my fellow colleagues and management. Been working for this company nearly 4 years having the same line manager been questioned several times "what is going on with you" - I don't need this as I am professional.

Each night since revoked licence at Socialite bar we don't know if club will be open or not. There is no clear information if the Socialite club should be closed as a business or if they have a right to run and organise parties/private events? There was a number of nights that club was open and ran a private events.

I am tired and really desperate to move out but I am obligated with a contract for a flat we rent. We (me and partner and flatmate) have called a serval times noise unit response at Haringey council. We have had a couple of visits from council.. I believe that you have a number of reports but what is the outcome for us? No changes. Council team came in, left and noise stayed the same. The Club carried on and we were restless. Would prefer to have peace at night, not bother anyone in the middle of the night to visit my house. Beneficial for both sides. However having a conversation with one of the ladies at the licence department at the Haringey council, I have been told that no matter if licence will be completely revoked, there will be another venue as the property is purely dedicated for the entertainment - well maybe council could consider a Bingo club instead!

Since October 2016 there was no night on the weekend that nights were peaceful. Unfortunately on each Friday and Saturday night there are fights in the middle of the streets, arguments, shouting, screaming, abusive/impropriety language. People who are visiting clubs are very young (early to late twenties) and don't dress up to high end standard of any respectable club in London. They are not a local people for sure, as locals trying to take care of the neighbourhood and respect neighbours. Being woken up by people who are standing outside the clubs, totally unmonitored by the security start fights, intoxicated or not with no respect to each other shouting screaming, being sick on the streets, throwing rubbish, bottles around... leaving Muswell Hill in state of huge mess. I hope that creates a good picture of Muswell Hill by night for you. I guess they can because they don't care as they don't live here. Not impressive. Not acceptable!!! We live here we pay one of the most expensive council taxes in London, people spending millions on properties because of good reputation of green, safe suburban area of London, wanting their children to go to the best schools. Good reputation of Muswell Hill been questioned... Let's talk about the safety? Shooting in November 2016, Stabbing in January 2018. What else need to happen to open your eyes that this is not a right place for a night clubs. These two spots attracting young people, gangs, agresion. I don't feel safe, my partner does not feel safe.

Below you will find a number of pictures taken by myself. I have taken screenshots so you can actually see date and time of taken picture.(Pictures with no date and called Sunday was taken on the night of 13/14 may) The last thing I want to see leaving my flat in the morning is blood on pavements after the fights.

I don't really care how much these clubs (Socialite Bar and Metropolitan Bar) have to pay for 7 days licence, but licence until 4am is a joke. A number of respected restaurants across London do have residential area policy and property needs to be empty by 11:30pm at the very latest (e.g The River Café), most of the clubs in the west end do have licence until 3am only.

And myself thinking... Maybe one day I will be on my way back home a little bit later (I have social life too.) and maybe it will be the wrong time to meet some dangerous, aggressive people leaving the clubs - maybe I will be stabbed maybe shoot maybe raped... Maybe... Kind of not thoughts I want to have.

I would love to invite the representatives - whoever is responsible for licence for both clubs. Please visit Muswell Hill on Friday or Saturday night especially around 2/3am than maybe letters like mine will be never written again and maybe no one will be hurt.

Please see pictures below. Pictures shows people that been stabbed in January, random people hanging out at 4am, people being sick... fights.. blood.

Make us residents safe and happy! Close down both clubs so people who are looking for trouble won't have any reason to come to Muswell Hill!

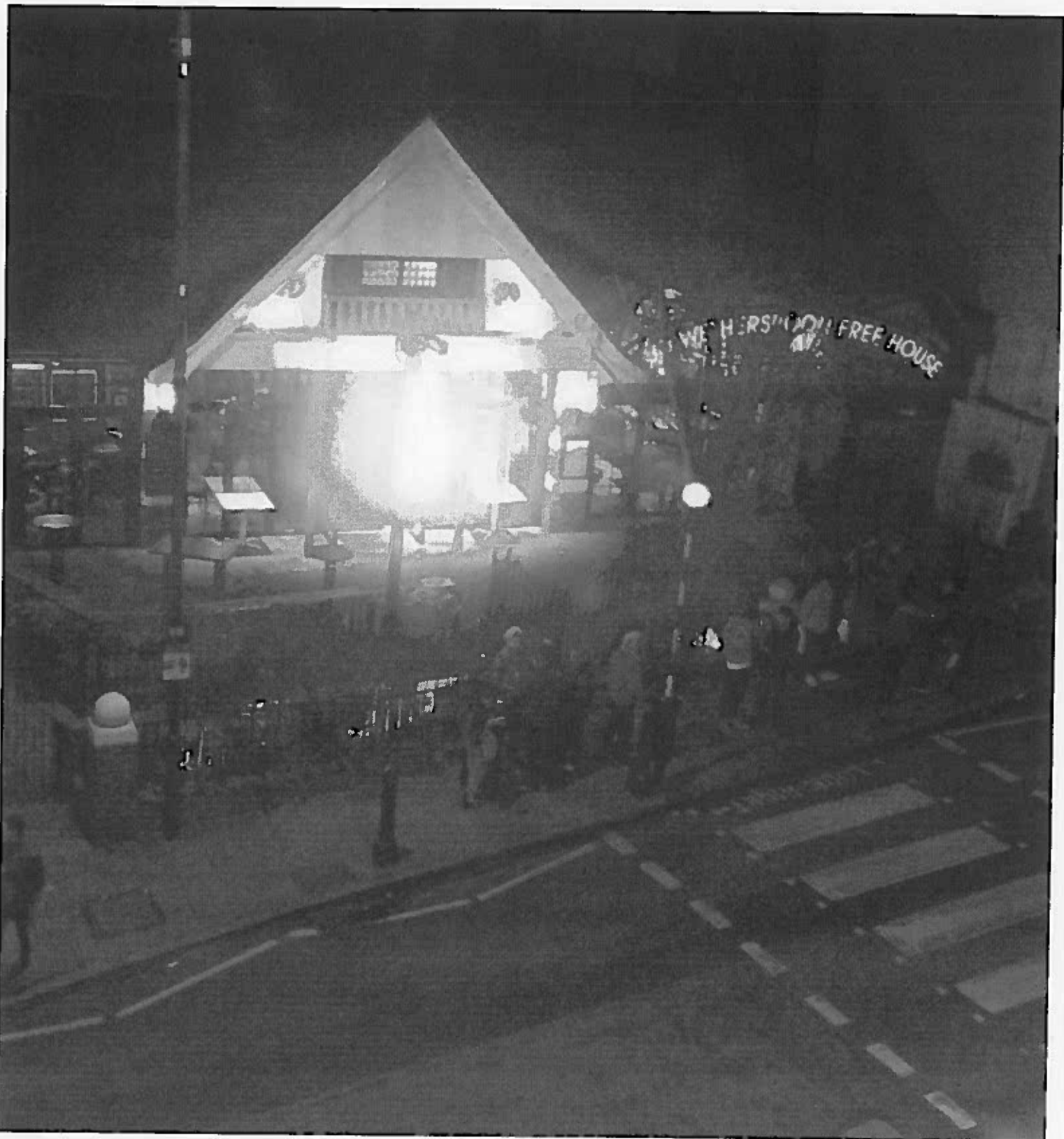
Kind regards,

Resident of Muswell hill Broadway!

25 December 2016

01:30

Details



25 December 2016

01:31

Details





28 January

03:19

Details





28 January

04:00

Details





London - Muswell Hill

Details

28 January 10:06



28 January

10:42

Details

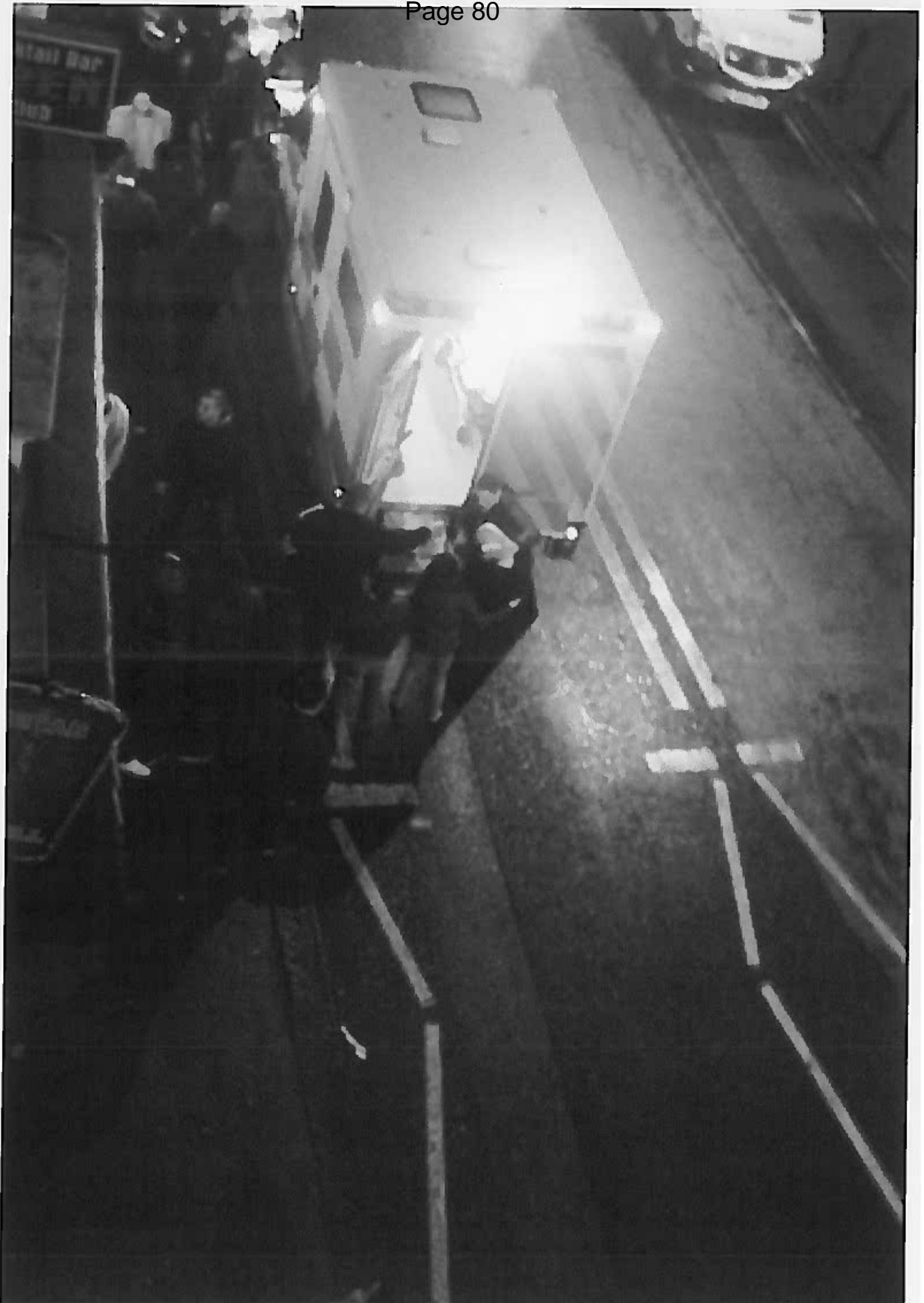


London - Muswell Hill

28 January 10:06

Details





28 January

04:04

Details





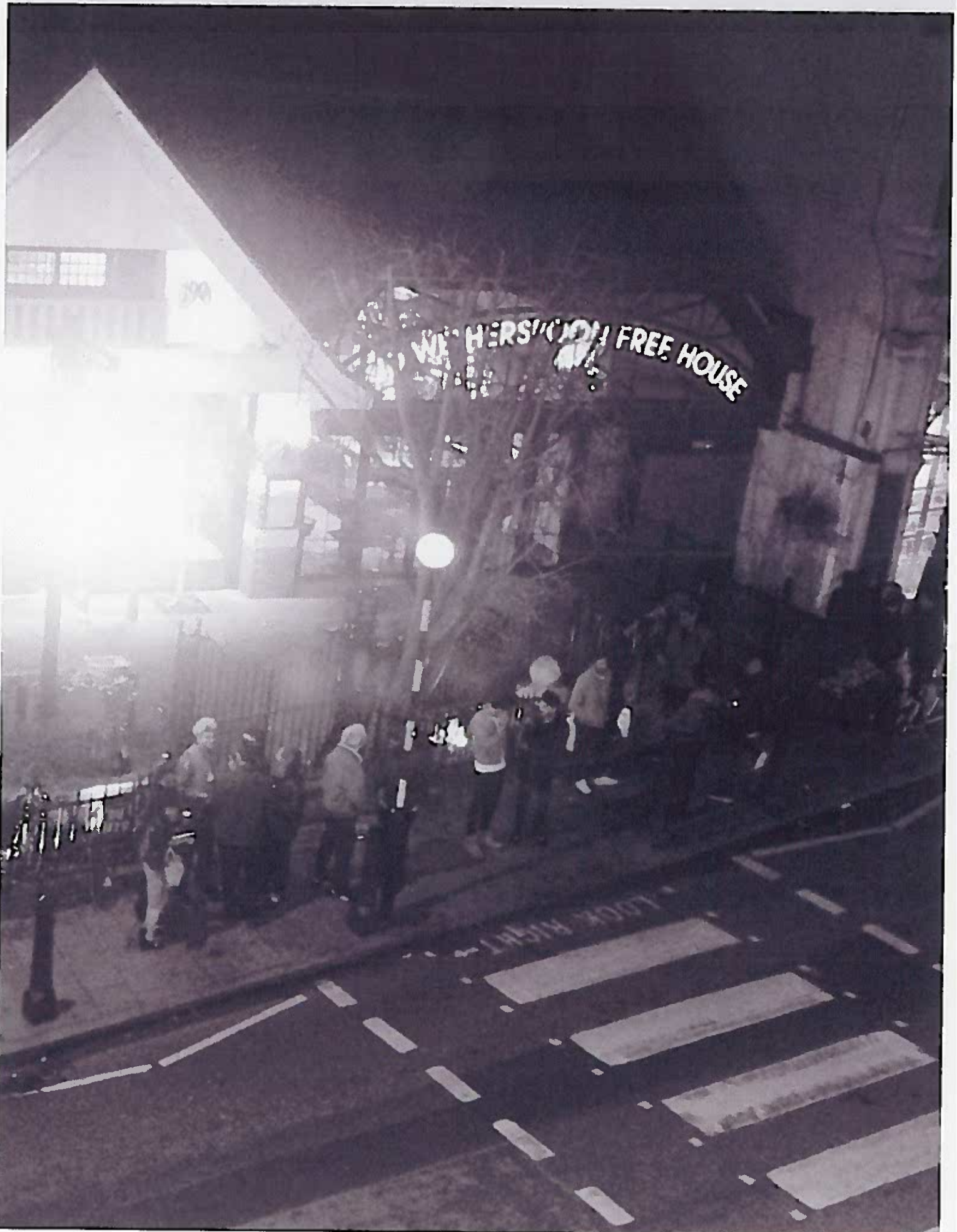




25 December 2016

01:30

Details



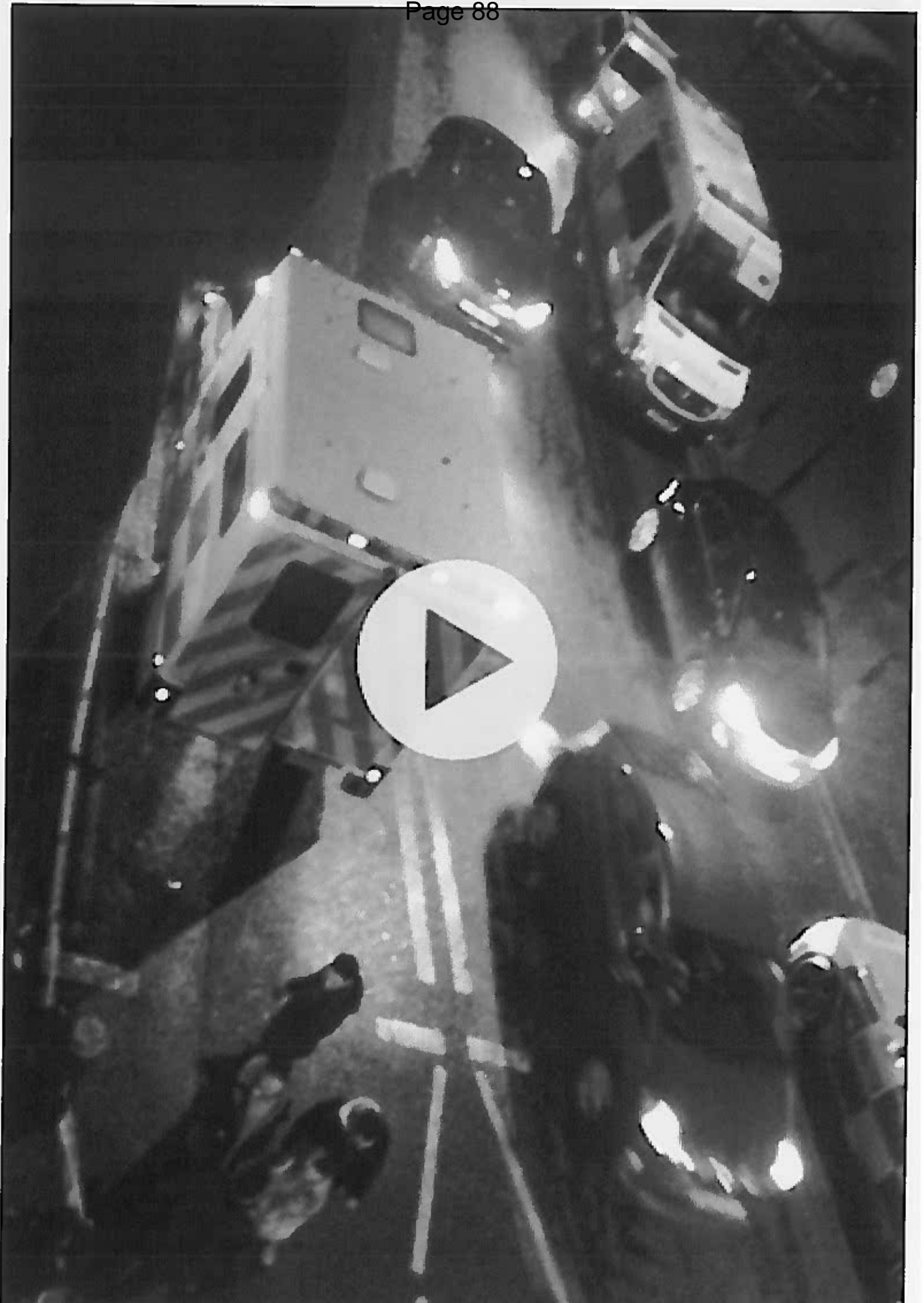
28 January

04:01

Details







28 January

04:10

Details







Page 91
28 January
04:10

Details







LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

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Personal Details

Name.....

Address.....

.....

.....

Postcode.....

HARINGEY COUNCIL
LICENSING
RECEIVED
22 MAY 2017

Licence application you wish to make a representation on

You do not need to answer all of the questions in this section, but please give as much information as you can:

Application Number.....

Name of Licensee...MATHEW JON SUTCLIFF.....

Name of Premises (if applicable)...SOCIALITE BAR.....

Premises Address (where the Licence will take effect).....
...272 MUSWELL HILL BROADWAY

.....

Postcode...N10 1 QR.....

Reason/s for representation

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

There have been several instances of violence at this club. Last year there was a well reported shooting.

Every Friday and Saturday night crowds gather outside until after 4am. We have witnessed patrons exposing themselves and urinating in the street. Sometimes they vomit in the street. They visit the kebab shop next door and cartons and general mess everywhere.

Public Safety

Patrons park illegally in the clearway bus lane and this caused all night buses to swerve into the middle of the road.

The Prevention of Public Nuisance

Rowdy behaviour car doors slamming at 4.30 am. Some patrons gather outside the building. We have security/concierge service all night they feel intimidated and they are advised by the police not to approach these people as they may be attacked.

The Protection of Children from Harm

I,....., hereby declare that all information I have submitted is true and correct.

Signed: _____

Date: 18/5/2017

Please send completed form to:
Haringey Council Licensing Team
Alexandra House,
Level 6,
10 Station Road,
Wood Green
London, N22 7TR



LICENSING ACT 2003 - REPRESENTATION FORM

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Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	
Name.....	HARINGEY COUNCIL LICENSING RECEIVED 22 MAY 2017
Address.....	
.....	
Postcode.....	

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number.....
Name of Licensee...MATHEW JON SUTCLIFF.....
Name of Premises (if applicable)...SOCIALITE BAR.....
Premises Address (where the Licence will take effect).....
...272 MUSWELL HILL BROADWAY
.....
Postcode...N10 1 QR.....

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>
<i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>

The Prevention of Crime and Disorder

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Every Friday and Saturday night crowds gather outside until after 4am. We have witnessed patrons exposing themselves and urinating in the street. Sometimes they vomit in the street. They visit the kebab shop next door and cartons and general mess everywhere.

Public Safety

Patrons park illegally in the clearway bus lane and this caused all night buses to swerve into the middle of the road.

The Prevention of Public Nuisance

Rowdy behaviour car doors slamming at 4.30 am. Some patrons gather outside the building. We have security/concierge service all night they feel intimidated and they are advised by the police not to approach these people as they may be attacked.

The Protection of Children from Harm

We have a child who is almost 2 yrs old. Her bedroom and ours is next to windows where we can hear the drunk crowds shouting late at night. We fear that things can get even more out of control and these crowds could throw bottles/objects to the windows.

I,....., hereby declare that all information I have submitted is true and correct.

Signed:

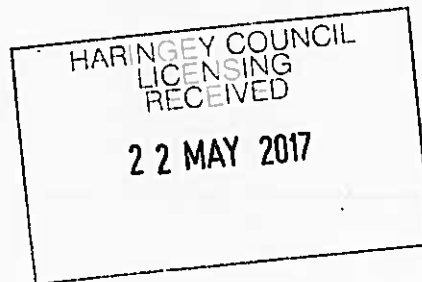
Date:

17/05/2017

Please send completed form to:

Haringey Council Licensing Team
Alexandra House,
Level 6,
10 Station Road,
Wood Green
London, N22 7TR

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



22 May 2017

By email (licensing@haringey.gov.uk and daliah.barrett@haringey.gov.uk)

Dear Sir/Madam,

Notice of Application for the appeal relating to the review of a Premises Licence for Socialite Bar, 272 Muswell Hill Broadway, London, N10 2QR ("the Nightclub")

I write in relation to the above appeal review.

I am strongly in favour of the Premises Licence for the Nightclub being revoked (which is a strong preference) or if it is to be granted, at least, significant altered, to prevent crime, disorder and allowing/maintaining public safety as it has failed to uphold the Licensing Objectives. For the avoidance of doubt, I whole-heartedly favour the total rejection of the appeal by the Nightclub's new owners/management.

My reasons for this are as follows:

- 1) The Socialite Bar is not just a bar, but a nightclub (as referred to on the Socialite Bar's own website that states that it was born from "an idea to revolutionise the nightclub scene") that was open until 4am on Fridays and Saturdays. Accordingly, as such, it is different to all other drinking establishments/venues in Muswell Hill and so, it should be treated differently in considering its position as part of this Licensing Review. Please note the same points below would apply to the Metropolitan Bar, should a licence review for this venue arise.
- 2) The Nightclub is located in a residential area rather than a big, commercial site or setting. As such, I would argue that any Licence should place a higher burden on the Nightclub to uphold its licensing objectives than say a nightclub in Soho. Accordingly, my opinion is that it has failed to prevent crime and disorder and maintain public safety and details are set out below.
- 3) As the Nightclub is set in a residential area, a large proportion of the patrons who frequent it drive to the venue and park on the side streets.
- 4) I have first hand, repeated experience and knowledge of the patrons parking their vehicles, as every Friday and Saturday, there are tens of cars that drive along Dukes Avenue and adjacent streets (I assume that there are other streets on the other side of the Nightclub that are similarly affected), causing congestion and parking difficulties for residents in this area.

- 5) This usually happens every Friday and Saturday from 10pm all the way until approximately 4.30-5am (although it is busiest around 10pm-1am and then after 3.30am – 5am).
- 6) This is usually accompanied with (and I have regularly witnessed) the patrons of the Nightclub causing issues of crime, disorder and threatening public safety in the following ways:
 - a. playing loud music from their vehicles (including blasting the music loudly, leaving doors and boots open and then dancing and shouting in the street);
 - b. shouting as they exit their vehicles and walk to and from the Nightclub;
 - c. drinking and taking drugs in their vehicles parked up on Dukes Avenue and on the street (generally on their way to the Nightclub);
 - d. sitting around the Church (at the top of Dukes Avenue) and drinking and shouting;
 - e. urinating on the street - generally, by the electricity box outside number 6 Dukes Avenue, around the Church at the top of Dukes Avenue and in Dukes Mews;
 - f. usually after approximately 4am (when the Nightclub closes), patrons walking back to their vehicles on Dukes Avenue and:
 - i. shouting aggressively, threatening other patrons of the Nightclub and other members of the public (including residents who are awoken and ask these patrons to keep the noise down);
 - ii. violence on Dukes Avenue with other members of the public or patrons from the Nightclub. This is usually accompanied with loud shouting and damage to street furniture and vehicles. This can involve just two patrons from the Nightclub or groups of individuals and has involved dangerous weapons;
 - iii. Vehicles and street furniture being destroyed by patrons smashing these items, including the most recent incident when a black vehicle was smashed by a number of patrons from the Nightclub; and
 - iv. Litter and food wrapping left on Dukes Avenue.
 - g. Worryingly for the drivers and also other road users, patrons of the Nightclub, who are visibly intoxicated, getting into their vehicles on Dukes Avenue and driving their vehicles away. This is a real worry and a commission of a number of crimes, but my main concern is for the safety and welfare of the occupants of the vehicles, who could end up killing themselves and other road users; and
 - h. Obviously, there was the recent shooting involving the patrons from the Nightclub. Needless to say, it is extremely scary and distressing to think that there are patrons from the Nightclub who are carrying guns and other weapons that could impact me and my family (alongside hundreds of other residents who live close by to the Broadway). Any stray bullets could easily have resulted in the injury or death of a resident (and there are a lot of young families in the area, so potentially affecting children). This is truly a significant concern.
- 7) I have contacted the police and the noise disturbance team at Haringey Council on numerous occasions in the past few years. There have also been a number of occasions where I have not contacted the police due to my perception of the police being unable to attend to an incident in time.
- 8) I would add that since the Socialite Bar had closed, there has been a reduction in the level of incidents highlighted above at paragraph 6 (although, they do continue to happen due to the Metropolitan Bar) and permitting a Licence to the venue once more will clearer increase the frequency, number and risk of such incidents in the future.
- 9) I would also highlight that whilst there has been a reduction in the number and frequency of the events highlighted above, they still do happen on a regular basis. By way of example, I

understand (as I witnessed the after-effects and spoke to the police on the street at the time) that there was a further stabbing by patrons of the Metropolitan Bar outside the Doctor's surgery on Dukes Avenue (1 Dukes Avenue) at approximately 4am in the past few months (apologies, I cannot recall the date, but I'm sure the police will have this information), where the area was cordoned off and police were on the scene for a number of hours. Accordingly, it is clear that allowing any bar or nightclub to be open at this location until 4am will result in issues of crime, disorder and threatening public safety and this should not be allowed.

- 10) Please note that all of the instances of crime, disorder and risk to public safety above have had a direct effect on me and my family (I have a three year old and a one year) through disturbed sleep, feelings of anxiety and fear. I am fearful for my family's public safety as a result of the actions of the patrons of the Nightclub and the Nightclub's failure to do anything about it.
- 11) As highlighted above, I consider that it is preposterous that the Nightclub is permitted to operate a Licence that runs until 4am in a residential area and either keeping the revocation of the Licence or certainly, restricting this to an earlier time on a Friday and Saturday would significantly reduce (if not cease) the instances of crime, disorder and significantly help to maintain public safety.
- 12) I expect Haringey Council, the Police and the management of the Nightclub to be aware of these events already, as I am aware of a number of residents having made reports for offences, public disorder and noise to these departments historically.
- 13) Finally, I would highlight that at no time in the past three and a half years have I seen anyone from the Nightclub visibly managing patrons whatsoever on Dukes Avenue. Whilst there may be a suggestion by the new owners/management of the Nightclub that they will provide greater security, including along the streets, they will have no powers to force patrons of the Nightclub to keep quiet, leave the area or any such ability. Accordingly, I fail to see how any such suggestions will in any way, shape or form, reduce the frequency of the incidents should a Licence be granted.
- 14) It's unclear from the notice, exactly who Matthew Jon Sutcliffe is, but it would appear that there is a suggestion that the Nightclub is under 'new' management/ownership. I contend that this will not impact the ability to prevent the incidents highlighted above and accordingly, a 'legal' opportunistic 'loophole' should not permit a Licence to be granted, where one clearly should not be.
- 15) I consider that there to have been a number of crimes and disorder offences and failure to maintain public safety resulting directly due to the Licence and a failure to uphold these by the Nightclub. I consider that only by continuing with the indefinite revocation of this Licence would ensure the cessation of the occurrence of similar instances. I hope a Licence is not granted, but in the event that it is, I would contend that reducing the hours of operation of the Nightclub to earlier (say 11pm) would also reduce crime and disorder and maintain public safety.

Yours faithfully

Anderson Chanel

From:
Sent: 22 May 2017 10:49
To: Licensing
Cc: Barrett Daliah
Subject: Socialite Bar, 272 Muswell Hill Broadway, Hornsey, London, N10 2QR

Licensing Team
Level 6 Alexandra House
10 Station Road
Wood Green
N22 7TR

Dear Licensing,

As local councillors since 2004 we have received representations from residents on numerous occasions about nuisance caused in the area at the top of Muswell Hill and Dukes Avenue allegedly by patrons of the night clubs operating in this area. Issues have included regular late night noise disturbance and some instances of violence.

Muswell Hill is a residential area with the top of Muswell Hill seeing a rapidly increasing residential population due to a number of substantial new developments and refurbishments. We do not believe that Muswell Hill is a suitable venue for late-night clubs and that residents deserve not to have their nights disturbed by the activities of patrons of local night-time establishments.

We are extremely concerned that conditions on current and previous licenses have not prevented the disturbance to local residents in the surrounding area and are not convinced that there are sufficient conditions that can be put in place on the licences of late-night establishments to guarantee that residents in the surrounding area will not continue to be regularly disturbed.

In conclusion, we do not believe that late-night clubs should operate in this area and request that this licence is refused. However, if the licensing committee were minded to grant permission, we would ask for the hours of operation to be cut back so that the hours of operation are restricted to midnight.

Kind regards,

ClIr Martin Newton
Liberal Democrat Fortis Green ward
London Borough of Haringey

ClIr Gail Engert
Liberal Democrat Muswell Hill ward
London Borough of Haringey
Leader of the Opposition

Anderson Chanel

From:
Sent: 22 May 2017 17:05
To: Licensing
Subject: Socialite Bar reapplication for a license
Attachments: Objections to Socialite bar application.pdf

Dear Haringey,

I would like to object in the strongest terms to this bar being granted a license. The bar has already had its license taken away because of police and neighbourhood objections. Given it has been the venue/cause for shootings and stabbings in what is otherwise a quiet residential area, I am stunned to think the council might actual regrant them a license. What does a bar have to do to be closed? Is this not enough?

I wrote to you about the earlier hearing to close the bar, and now want to go on record as against the granting of this application or any late night opening hours for this bar.

I attach my formal representation to this effect

Yours,

LICENSING ACT 2003 - REPRESENTATION FORM

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Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details
Name..:
Address..
.....
.....
Postcode..

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number.....
Name of Licensee... SOCIALITE BAR
Name of Premises (if applicable)... SOCIALITE BAR
Premises Address (where the Licence will take effect).....
272 MUSWELL HILL BROADWAY
LONDON
Postcode... N10 2QR

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>
<i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>

<p>The Prevention of Crime and Disorder</p> <p>THEY SPILL OUT ONTO MUSWELL HILL TO SMOKE, IT'S A DANGER TO THEMSELVES & CARS + IT IS INTIMATING TO WALK ON THE PAVEMENT.</p>
<p>Public Safety</p> <p>THERE HAVE, IN THE PAST, BEEN VIOLENT INCIDENTS. IT SEEMS HIGHLY INAPPROPRIATE TO PUT A LATE NIGHT CLUB IN A RESIDENTIAL AREA</p>
<p>The Prevention of Public Nuisance</p> <p>THE CUSTOMERS TAKE THEIR FOOD INTO WHERE THEY'VE PARKED THEIR CARS USUALLY IN SPRINGFIELD AVE. THEY LEAVE THEIR FOOD LITTER IN THE ROAD</p>
<p>The Protection of Children from Harm</p>

I,, hereby declare that all information I have submitted is true and correct.

Signed: _____

Date:

23.5.17

Please send completed form to:

Haringey Council Licensing Team
Alexandra House,
Level 6,
10 Station Road,
Wood Green
London, N22 7TR

Lead Officer
Licensing
Haringey Council
Alexandra House Level 6
10 Station Road
London
N22 7TR

18 May 2017

Dear Sir/Madam

SOCIALITE BAR 272 MUSWELL HILL BROADWAY

We are writing to object to the application for a licence for the above premises, which include live music and late night opening 7 days a week.

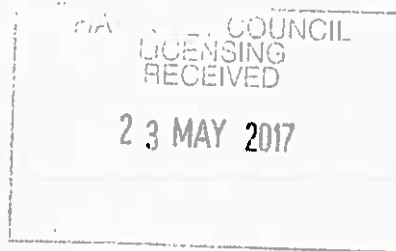
We have objected in the past to the current licensees, who are appealing against Haringey's decision to revoke their licence. We will object to their appeal.

We suffer the noise, disruption, damage to cars and property, litter, fighting and partying that takes place when this bar closes in the early hours of the morning. It interrupts sleep for residents and children.

It is inappropriate to have a club of this nature in a heavily populated residential area.

Please do not grant the licence.

Yours faithfully



Anderson Chanel

From: Barrett Daliah
Sent: 23 May 2017 15:41
To: Anderson Chanel
Subject: FW: nightclub licence

From: moseley howard
Sent: 23 May 2017 15:40
To: Barrett Daliah
Subject: nightclub licence

Dear Ms Barrett

Re: Licence appeal for Socialite Bar

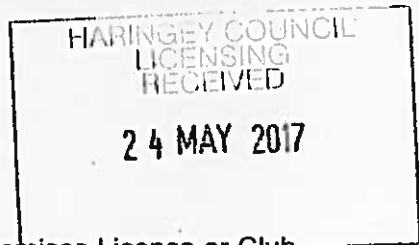
I live at _____ and I have real concerns regarding the Socialite Bar and renewal of its licence. I would also like to object to the Metropolitan Bar having a licence to close as late as it does.

Since the Socialite Bar has closed there has been a noticeable reduction in occurrences of anti-social behaviour from customers of the club.

I am aware of neighbours in Dukes Avenue, who live closer to the Broadway, who have experienced intolerable behaviour in relation to noise, littering and defecation in their gardens. For us who live further down in Dukes Avenue we still have concerns, including cars racing up and down the road and the effect of shootings and stabbings within our community. We are used to people using Alexandra Palace and a certain amount of noise when people travel to and leave the venue and generally the behaviour is well within acceptable norms of those visiting a concert venue. However, those using the nightclub pose far greater concerns in relation to their noise, violence, littering and use of illegal substances. This also has an effect on us, as a family, feeling safe to walk to Muswell Hill and socialise there of an evening. I have two teenage children and the presence of the nightclub and its customers places real restrictions on us, as parents, to allow our children to socialise in Muswell Hill with their friends.

I would be most grateful if, on behalf of us and our neighbours, you would object to the nightclub's licence renewal.

kind regards



LICENSING ACT 2003 - REPRESENTATION FORM

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Personal Details
Name.....
Address.....
Postcode.....

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number.....
Name of Licensee.....
Name of Premises (if applicable)..... Socialite Bar
Premises Address (where the Licence will take effect)..... 272 Muswell Hill Broadway, Hornsey, London,.....
Postcode..... N10 2QR

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>
<i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>

<p>The Prevention of Crime and Disorder</p> <p>I object to the Socialite Bar application for the following reasons:</p> <p>Reason: The Prevention of Crime and Disorder People going to this bar have been involved in stabbings and shootings, as recently as last year outside Boots. This would be sufficient reason to not grant the license in what is a quiet residential area. The police participated in the resident's earlier campaign to close the bar. Why is it's opening being considered so soon after its license was taken away?</p>
<p>Public Safety</p> <p>Surely we do not have to prove the case that stabbings and shootings associated with the Socialite are serious threats to public safety. On at least one occasion, a fight that started in the bar continued into our street where the participants had parked their cars on our street. GEDS.</p>
<p>The Prevention of Public Nuisance</p> <p>It must be obvious that the stabbings, shootings and general drunkenness and aggressive behaviour associated with this bar are a public nuisance. Any time a fight goes beyond the reach of the bouncers it can continue in the quiet streets of Muswell Hill – and this is frequently the case as the party who is being attacked usually as last year outside Boots. This would be sufficient reason to not grant the license in runs away.</p>
<p>The Protection of Children from Harm</p> <p><i>their cars on our street</i></p>

I, [redacted]hearby declare that all information I have submitted is true and correct.

Signed: [redacted]

Date: 22 May 2017

Please send completed form to:

Haringey Council Licensing Team
 Alexandra House,
 Level 6,
 10 Station Road,
 Wood Green
 London, N22 7TR

HARINGEY COUNCIL
LICENSING
RECEIVED

24 MAY 2017

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	
Name.....	[REDACTED]
Address.....	[REDACTED]

Postcode.....	[REDACTED]

Licence application you wish to make a representation on	
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>	
Application Number.....	
Name of Licensee.....	
Name of Premises (if applicable).....	Socialite Bar
Premises Address (where the Licence will take effect).....	
	272 Muswell Hill Broadway, Hornsey, London, N10 2QR

Postcode.....	N10 2QR

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>
<i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>

The Prevention of Crime and Disorder

The bar has already had its license taken away because of police and neighbourhood objections. Given it has been the venue/cause for shootings and stabbings in what is otherwise a quiet residential area, I am stunned to think the council might actual re-grant them a license. What does a bar have to do to be closed? Is this not enough?

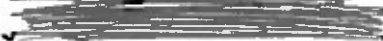
Public Safety

Clearly stabbings, shootings and drunken fights are threats to public safety, especially as these fights usually end up in streets close by as one of the parties tries to run.

The Prevention of Public Nuisance

All the above behaviour is a clear public nuisance.

The Protection of Children from Harm

I, , hereby declare that all information I have submitted is true and correct.

Signed: 

Date: 

Please send completed form to:

Haringey Council Licensing Team
Alexandra House,
Level 6,
10 Station Road,
Wood Green
London, N22 7TR

HARINGEY COUNCIL
LICENSING
RECEIVED
24 MAY 2017

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details
Name.....
Address.....
.....
.....
Postcode.....
Licence application you wish to make a representation on
You do not need to answer all of the questions in this section, but please give as much information as you can:
Application Number.....
Name of Licensee..... Socialite Bar.....
Name of Premises (if applicable).. Socialite Bar.....
Premises Address (where the Licence will take effect)..... 272 Muswell Hill Broadway, Hornsey, London.....
.....
Postcode..... N100QR.....


Reason/s for representation


Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates). Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

Crime and Disorder: There has been a number of stabbings, a shooting outside Boots recently, and attacks by customers on each other, some of them here in Springfield Avenue. Police have called at the door a number of times in the past three years seeking witnesses.

Public Safety: Because this bar, and its neighbour the Millenium Club, are thronged outside by people who are clearly drunk or 'high', I feel unsafe walking by at night, both because of the noisy and aggressive behaviour and also from being forced to step into the very busy road where there is oncoming traffic.

Public Nuisance: in addition to the noise, the litter every Saturday and Sunday morning outside these premises is appalling.

I, hearby declare that all information I have submitted is true and correct.


Signed: _____
Please send completed form to:
Haringey Council Licensing Team Alexandra House,
Level 6,
10 Station Road,
Wood Green London, N22 7TR
Date: 22 May 2017

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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: <ul style="list-style-type: none"> (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: <p>Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.</p> <ul style="list-style-type: none"> (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 ADDRESSES		
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.	



Agenda Item
Page No. 1

Licensing Act 2003 Sub-Committee on 20th June 2017

Report title: Application for a Review of a Premises Licence at Super-class, 4-5 Campsbourne Road London N8 7PR

Report of: The Licensing Team Leader

Ward(s) affected NP

1. Purpose

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

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: 11th April 2017

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: SUPERCLASS

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 issued to Mr B Erdogan in November 2005 to allow the premises to come into the new Licensing regime under grand fathered rights. The holder of the licence has remained the same throughout. The premises was originally found to be selling illicit goods in May 2016 and was provided with advice and given the opportunity to apply for a Minor Variation to have additional conditions added to the licence of their own volition as opposed to being reviewed at the time.

The Section 182 Guidance advises that reviews may arise in connection with crime that is not directly connected with licensable activities. 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 and 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 authorities' duty is to take steps in the interests of the wider community and not those of the individual licence holder.

The Licence and its conditions are shown as Appendix 1A.

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

The designated premises supervisor is: Mr Bektas Erdogan

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.

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.

5.4 Comments from Licensing Authority

Representation made.

5.5 Comments from Public Health RA

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.

Appendix 1A – Current Premises Licence

LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG763125

Premises Licence Number: LN00002177
LN/000002864

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: 24th November 2005
Minor Variation: 25th November 2016

Part 1 – PREMISES DETAILS

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

**SUPERCLASS
4 & 5 CAMPSBOURNE PARADE
HORNSEY HIGH STREET
LONDON
N8 7PR**

Telephone: 0208 347 7848

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol

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

Supply of Alcohol

Monday to Saturday 0730 to 0200

Sunday 0730 to 0000

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:

Bektas Erdogan
4-5- Campsbourne Parade
Hornsey High Street
London
N8 7PR

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:

Bektas Erdogan
1 Barkham Road
Tottenham
London
N17 8JR

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/000010187
Issued by: London Borough of Haringey

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

We will work with the local authorities to make our premises secure and law abiding and to not cause any nuisance to our neighbours.

THE PREVENTION OF CRIME AND DISORDER

CCTV will be installed premises.

We will not sell alcohol to those under the age of 18, intoxicated persons, or known nuisances.

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.

Tobacco shall only be taken from the covered tobacco display cabinet behind the sales counter in order to make a sale.

Only products available for retail sale shall be stored on the premises.

PUBLIC SAFETY

Public liability insurance in place.

THE PREVENTION OF PUBLIC NUISANCE

Drinking on/around the shop premises is forbidden.

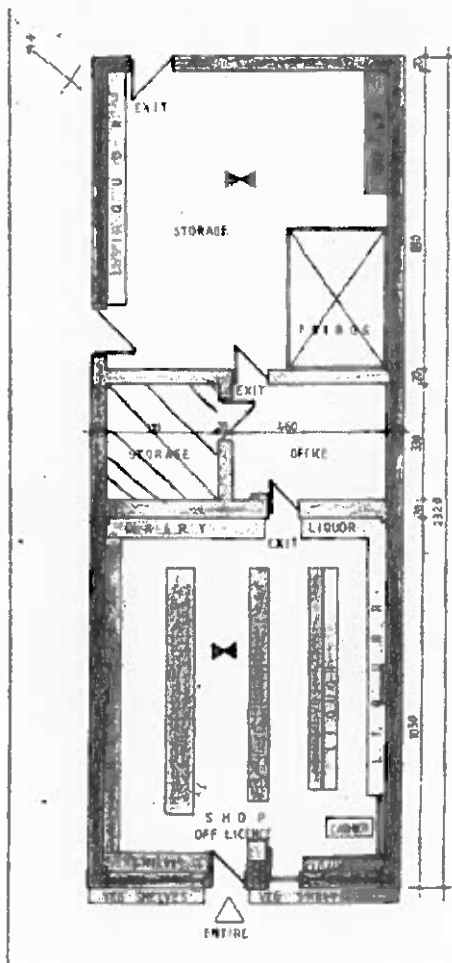
THE PROTECTION OF CHILDREN

All alcohol will be kept behind counter and out of reach of children.

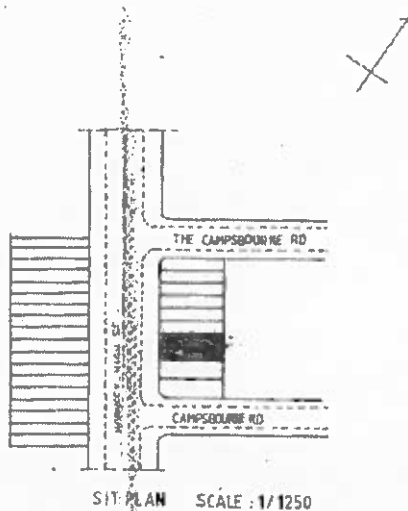
Annex 3 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans



PROPOSED GROUND FLOOR PLAN



SITE PLAN SCALE: 1/1250

LEGEND

-  LIQUOR SALES
-  LIQUOR STORAGE
-  AMBIT LICENCED PREMISES
-  AREA COVERED BY SAFETY LIGHTING BS 5266

Handwritten signature and initials

HÖSEYİN KÜÇÜK 4.5 HORNSEY HIGH ROAD LONDON N4 7PR
YILDIZ SUPERMARKET OFF LICENCE & GROCERY
DRAWN BY İSHET VURAL
SCALE : 1/100 REF NO 2004/0016/04

Appendix 1 – Application for Review and Supporting Documentation

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

NK/380718

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

HARINGEY COUNCIL
LICENSING
RECEIVED
11 APR 2017

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

(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 SuperClass Convenience Store 4-5 Campsbourne Parade Hornsey	
Post town London	Post code (if known) N8 7PR

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

Number of premises licence or club premises certificate (if known) LN000002864
--

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 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 ✓

-
-
-
-

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.

It particularly relates to the discovery of illicit alcohol on the Licensed Premises on 24th January 2017 and a previous occasion on 27th May 2016 where illicit tobacco was discovered on the premises. On both occasions the premises was under the control of the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) Bektas ERDOGAN. These two incidents indicate that the highest standards of management have not been exhibited by the business.

The most recent incident occurred on 24th January 2017 when officers from Trading Standards and Her Majesty's Revenue and Customs (HMRC) visited the off licence premises of Superclass, 4 & 5 Campsbourne Parade, Hornsey High Street, London N8 7PR to inspect the stock of alcohol and tobacco. The PLH and DPS Bektas ERDOGAN was not present in the shop. During the visit officers dealt with the manager Yasar KARADAG. An inspection was carried out of the shop premises and rear store. In total 42 litres of non UK Duty paid alcoholic spirits were seized by HMRC consisting of 21 litres of Whisky and 21 Litres of Vodka with a total value of evaded Duty of £464.68.

The Teachers whiskey was a genuine but non Duty paid product which had been intended for export and sale outside the UK. The evidence indicates that the UK Duty labels which are integral to the rear label on this product had originally been correctly obliterated in accordance with HMRC regulations for export outside the UK by the producers with a plain white sticker glued over the UK Duty marking on the rear label of the product.

The bulk of the Teachers whiskey found on the premises of Superclass was found in resealed or open outer boxes (See Photo 1 attached) potentially indicating that some form of tampering had taken place. On closer examination of the bottles the rear labels on the whisky bottles themselves contained traces of glue residue in the area of the UK Duty label where the obliteration stickers applied by the manufacturer for export had been removed by persons unknown, revealing the original UK Duty label which now gives the impression that the product was in fact UK Duty paid when it was not.(see Photo 2 attached). The Teachers whiskey was therefore, seized as a smuggled product by HMRC. Two of the bottles of Teachers Whisky were found in the display at the front of the shop the remainder in the stock room.

The 21 Litres of vodka seized by HMRC as being non UK Duty paid contained some product bearing foreign paper tax stamps of the type which covers the bottle cap. These products did not bear the legally required UK Duty stamp indicating a non UK Duty paid product. (See photo 3). In addition, Some of the vodka bore UK Duty stamps which were not integral to the rear label and had been stuck on after manufacture. If genuine, a non integral stamp should commence with a letter corresponding to the spirit type ie "V" for Vodka. The stamps on these seized products (see photo 4) are bearing a non integral UK Duty stamp commencing with the letter "A". Stamps commencing with the letter "A" are reserved for stamps which are integral to the printed rear label and not stuck on afterwards. These indicators show that the product depicted in photo 4 is bearing a fake or transposed stamp. This particular stamp also contains underneath it the wording "enjoy with Absolut responsibility" showing a likelihood that the stamp or design relates to an "Absolut" branded product. These products were found in the stock room of the shop.

Following the seizure by HMRC no appeal has been received within the time limit for either the

whisky or vodka and the seized products have been forfeited as non UK Duty paid,

On 9th February 2017 the Premises Licence Holder and Designated Premises Supervisor Bektas Erdogan was interviewed by Trading Standards. A summary of the interview is attached. Bektas ERDOGAN is the DPS and the PLH and the sole Director of Superclass Express Limited which currently runs the business from the licenced premises. With reference to the interview Trading Standards have the following concerns

- Bektas ERDOGAN has been unable to provide invoices for the seized goods or provide a satisfactory explanation identifying definitively where the illicit products were purchased.
- Trading Standards are further concerned that the Designated Premises Supervisor by his own admission does not Spend a great deal of time at the premises and largely leaves it to staff to manage day to day activities.
- The Designated Premises Supervisor has admitted that he does not regularly inspect the stock in the shop to verify what is being bought and sold by staff instead relying on trust and verbal instructions.

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

It is a further offence under Section of the Consumer Protection From Unfair Trading Regulations 2008 to have in possession for supply spirits bearing a false or unauthorised UK Duty Stamp giving the impression the goods are legal to sell when in fact they are not.

This incident has been aggravated by the fact that this is not the first time this business has been subject to action by Trading Standards in respect of illicit products.

On 27th May 2016 Trading Standards carried out an inspection of the same licensed premises. On this occasion 860 cigarettes (43 packets of 20) Marlboro Gold Cigarettes were seized from the premises with incorrect Health Warnings. These cigarettes were foreign non Duty paid illicit cigarettes. The estimated Duty value of these cigarettes was approximately £240.

Bektas Erdogan was formally interviewed by Trading Standards in respect of this incident and stated he was out of the country at the time of the seizure.

On 4th November 2016 Bektas ERDOGAN signed a simple caution in respect of this incident.(attached).

On this occasion criminal offences were committed under Section 48(a) (1) of the Tobacco and Related products Regulations 2016 for having in possession for supply cigarettes with incorrect health warnings and under Section 144(1) of the Licensing Act 2003 for keeping smuggled goods on the licensed premises.

As a result of the incident on 27th May 2016 Bektas ERDOGAN was requested by Trading Standards to apply for a Minor Variation to his Premises Licence to add to licence conditions mainly in respect of tobacco products at the premises. This he did and an application was

received on 10th November 2016 and the Minor Variation was applied on 25th November 2016. Conditions added to the Licence included a condition that "only products available for retail sale shall be stored on the premises" This condition, if adhered to, reinforces the Trading Standards view that all of the illicit alcoholic spirits seized on 24th January 2017 were stock and intended for supply.

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
23 rd May 2016	Seizure of 860 (43 Packets) Malboro cigarettes by Trading Standards	Cigarettes seized were foreign cigarettes with incorrect Health Warnings which did not comply with the Tobacco and Related Products Regulations 2016 and were not Duty Paid. The Duty evaded approximated to £240.
4 th November 2016	Bektas ERDOGAN signs a simple caution in respect of the seizure on 23 rd May 2016	Bektas ERDOGAN Signs a Simple Caution in respect of the 860 cigarettes seized in relation to offences under the Tobacco and Related Products Regulations 2016 and in relation to keeping smuggled goods on the premises contrary to Section 144(1) Of the Licensing Act 2003.

25 th November 2016	Minor variation applied to licence following application by Bektas ERDOGAN	Minor Variation adds additional conditions in respect of storage and sale of tobacco and the condition "only products available for retail sale shall be stored on the premises"
24 th January 2017	Inspection of Superclass by Trading Standards and HMRC Officers	HMRC inspect premises in conjunction with Trading Standards. 21 Litres of Teachers Whisky and 21 Litres of Vodka Seized. Representing a Duty Value of £464.68. All products were non Duty paid. (Photographs 1-4 Attached)
9 th February 2017	Interview of Bektas ERDOGAN by Trading Standards in accordance with the Police and Criminal Evidence Act 1984	Bektas ERDOGAN interviewed under Caution. Summary Record of interview is attached)

Recommendations:

This licensee has clearly demonstrated that on two occasions there has been 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.

There have been two separate incidents where illicit/smuggled goods have been found on the premises and Trading Standards no longer have any confidence in the Licensee to promote the Licensing Objectives. It is, therefore, the recommendation of Trading Standards to the Committee that they seriously consider revoking the Licence.

If the Committee are not minded to revoke the Licence Trading Standards would seek for the DPS to be removed from the License and suitable suspension imposed.

Should the Committee be minded not to revoke the Licence in addition to any other sanction considered appropriate Trading Standards recommend the following conditions be attached 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.

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. Photographs of Seized Spirits x4
2. Summary Record of Interview carried out with Bektas ERDOGAN DPS and PLH
3. Companies House Documentation in relation to Superclass Express Limited
4. Simple Caution signed by Bektas ERDOGAN on 4th November 2016 in respect of seizure of cigarettes on 27th May 2016.

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

N/A

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 *[Handwritten Signature]*

Date 11/4/17

Capacity Commercial Environmental Health + Traction Standards Manager

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.

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

N/A

Photo 1

Teachers Whisky outer cases

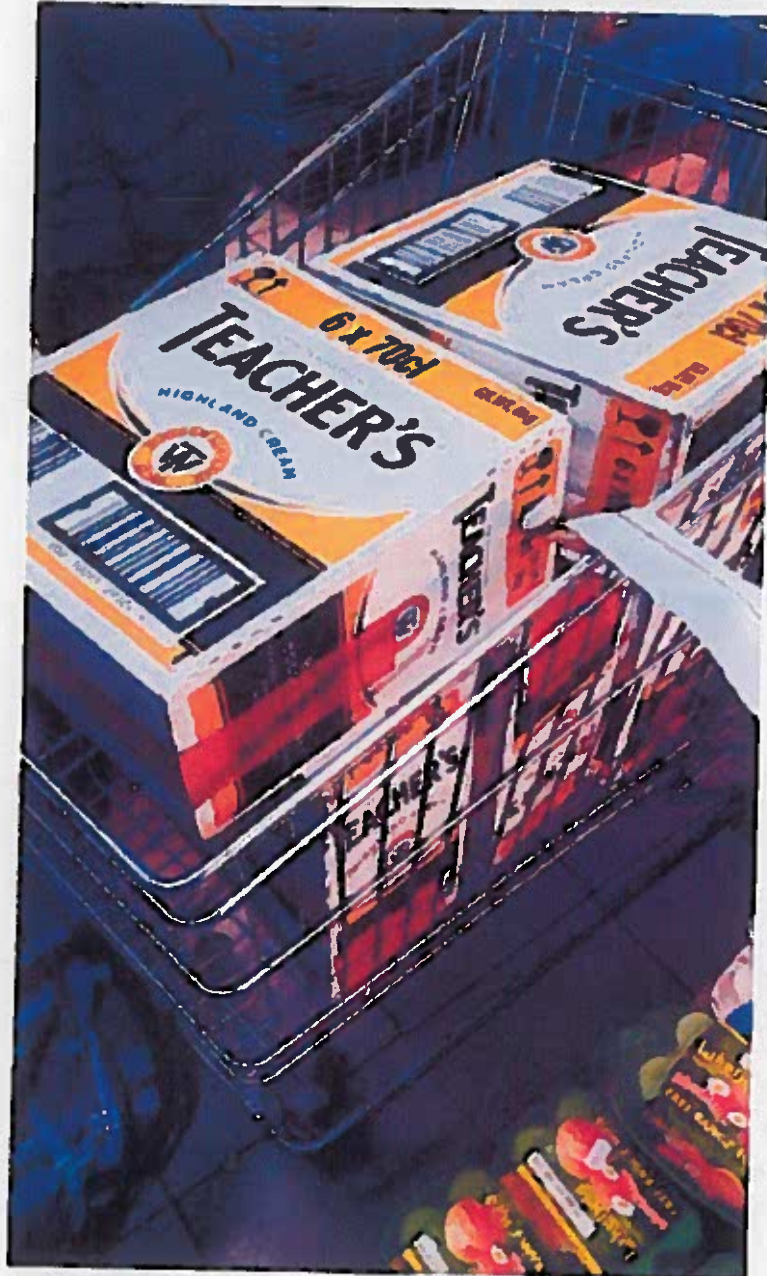


Photo 2

Teachers Whisky Showing Glue Residue on UK Duty Sticker

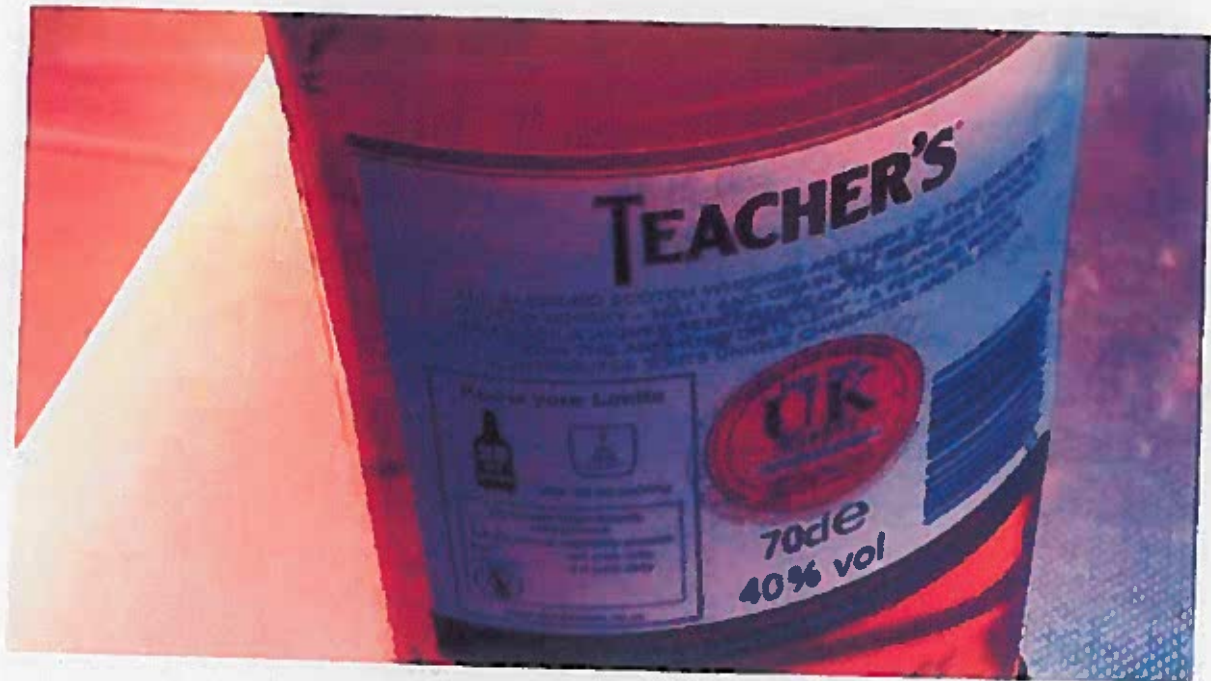


Photo 3

Seized Vodka Showing foreign paper Tax stamps on bottle lids



Photo 4

Polska Vodka showing incorrect "Enjoy with Absolut Responsibility" UK Duty Label with incorrect prefix for tax stamp type beginning with letter "A"



LONDON BOROUGH OF HARINGEY TRADING STANDARDS

RECORD OF TAPE RECORDED INTERVIEW

Person Interviewed **Bektas ERDOGAN**

Place of Interview: Interview Room: Alexandra House, N22

Date of Interview **9th February 2017** Commenced **10:08** Ended **10:31**

Interviewing Officer(s) **M Squire**

Other Persons Present **M Balakrishnan**

Officer Preparing Record **M Squire**

Signature

Tape Ref No Identifying Mark No of Pages **6**

TAPE TIMES	
	<p><i>Mr ERDOGAN was informed that the interview was being recorded on CD and that at the end of the interview he would get a copy of the CD. The persons present introduced themselves.</i></p> <p><i>Mr ERDOGAN gave his home address as [REDACTED]</i></p> <p><i>[REDACTED] Mr ERDOGAN gave his date of birth as [REDACTED] and his place of birth as Turkey.</i></p> <p><i>Mr Erdogan confirmed the business trading from the shop was Superclass Express Limited. He confirmed he was a Director of that Company and able to speak on it's behalf.</i></p> <p><i>It was explained that following a visit to the premises of Superclass by Trading Standards accompanied by HMRC on 24th January 2017 a quantity of Whisky and Vodka were seized</i></p>

RECORD OF TAPE RECORDED INTERVIEW OF: Bektas ERDOGAN

<p>MS</p>	<p>by them.</p> <p>It was further explained that the whisky was genuine Teachers Whisky intended for export which had had its Duty stamps obliterated for export purposes by way of stickers stuck over the Duty stamps. Someone in the supply chain had removed the obliteration stickers revealing the UK Duty stickers again which meant that the whisky was claiming to be Duty paid when in fact it had not been UK Duty paid.</p> <p>The vodka seized including the Polska vodka taken as a sample by Trading Standards had had a Duty Sticker from "Absolute Vodka" placed on it and as it was not that brand offences may have been committed under the Consumer Protection From Unfair Trading Regulations 2008 for giving the impression the product was legal to sell and under the Licensing Act 2003 in relation to keeping smuggled goods on the premises.</p> <p>Mr ERDOGAN was cautioned at in the following terms at 10:10AM.</p> <p>You do not have to say 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 may be given in evidence. Do you understand.</p>
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RECORD OF TAPE RECORDED INTERVIEW OF: Bektas ERDOGAN

<p>BE</p>	<p>Yes</p> <p><i>The caution was explained to Mr. ERDOGAN.</i></p> <p><i>Mr ERDOGAN was informed he was entitled to have a Solicitor present and declined to do so. He also was informed that he was not under arrest.</i></p> <p><i>Mr Erdogan was asked what the vodka and whisky were doing in the shop. Mr Erdogan explained that he had spirits which were more than five years old from before he bought the business. He added he would not have bought Whisky from the Cash and Carry if he had so much in stock.</i></p> <p><i>Mr ERDOGAN was shown photographs of the Seized Teachers Whisky and Vodka and the issues with the stamps were explained to him.</i></p> <p><i>Mr ERDOGAN was asked where he got the products from? He replied he bought his "heavy" drinks form Imperial Cash and Carry.</i></p> <p><i>It was put to Mr Erdogan that the Whisky was resealed with packing tape on the outer boxes which showed it had been opened and resealed which was not consistent with cash and</i></p>
-----------	--

Signed..........

RECORD OF TAPE RECORDED INTERVIEW OF: Bektas ERDOGAN

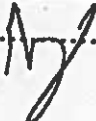
	<p><i>carry stock.</i></p> <p><i>Mr ERDOGAN again stated the product could be old stock before the new stamps came in. It was explained that that could not be the case as the Teachers Whisky had the UK stamp built into the label so it could not originate before the stamping regime began because if that were the case it wouldn't have the UK Duty label at all.</i></p> <p><i>Mr ERDOGAN reiterated that he had been in the shop for four or five years and had not bought any spirits from vans.</i></p> <p><i>Mr ERDOGAN was asked how often he bought Teachers Whisky and he replied once a month. It was put to him that he must have turned over his stock and bought some in the last five years? Mr ERDOGAN said again he did not buy from vans.</i></p> <p><i>Mr ERDOGAN stated he had not seen the boxes as he is not in the shop often.</i></p>
<p>MB</p>	<p>How often are you in the shop?</p>
<p>BE</p>	<p>Once a week maybe once a day.</p>

RECORD OF TAPE RECORDED INTERVIEW OF: Bektas ERDOGAN

	<p><i>Mr ERDOGAN explained the stock of spirits was kept in the store room. He was asked if he went into the store room to check when he came to the shop. He replied that he did not. He explained there was no EPOS system in the shop,</i></p> <p><i>Mr Erdogan said the seized product was either old stock or from Imperial.</i></p> <p><i>if you only in the shop once a day or one day in a week how do you know what's going on in your shop?</i></p> <p><i>I left my staff</i></p> <p><i>Mr ERDOGAN stated he lets his staff buy stock for the shop but had instructed them not to buy from thieves and vans.</i></p> <p><i>It was put to Mr Erdogan that if his staff had bought these products from a white van and sold them in the shop, pocketing the money, how would he know? He replied he wouldn't and they could do anything. He trusted his staff and had told them not to buy from vans.</i></p> <p><i>Mr ERDOGAN was asked if he had noticed the vodka in his</i></p>
--	---


MB

BE

Signed.....

RECORD OF TAPE RECORDED INTERVIEW OF: Bektas ERDOGAN

	<p><i>shop with foreign paper tax stamps on them. He said he did not know it was there. He was asked if he had noticed the "Absolut vodka" Duty stamps on the Polska Vodka. He replied that he did not know the product was there.</i></p> <p><i>Mr ERDOGAN again indicated the items could be old stock from the previous owner or it could be the guys in the shop. Again he stated he told the guys in the shop not to buy illegal goods.</i></p> <p><i>Mr ERDOGAN said a member of staff said the Teachers was from Imperial but he did not have an invoice.</i></p>
MS	<p>Do you not think the fact you only go to the shop occasionally do you not think you are being a bit neglectful?</p>
BE	<p>When I go there everything looks fine.</p> <p><i>Mr ERDOGAN admitted that when he went to the shop he did not do a full inspection of the shop. He agreed he did not serve behind the counter. He stated when he went to the shop he drank tea and spoke with customers. Mr Erdogan stated he used to work very hard. After 2014 he gave up after losing family members. He doesn't work in the shop regularly as money is not everything.</i></p>

Signed..........

**London Borough of Haringey
Commercial Environmental Health
Alexandra House
10 Station Road
Wood Green
London
N22 7TR**



Simple Caution

Offender surname: ERDOGAN

Forenames: Bektas

Date of birth: [REDACTED]

Address: [REDACTED]

Occupation: Director/Designated Premises Supervisor

Details of offences :

- 1) ASI London Limited did have in possession for supply a tobacco product namely 860 (43 packets) of Marlboro Gold cigarettes which did not comply with Regulation 7 of the Tobacco and Related Products Regulations 2016 in that the unit pack did not bear a health warning consisting of the text "Smoking Kills- quit now and an information message consisting of the text "Tobacco smoke contains over 70 substances known to cause cancer" in addition the unit pack did not comply with Regulation 5 and 6 as it did not bear a graphical health warning consisting of one of the graphics contained in the Schedule to the Regulations. Contrary to Regulation 48 (a)(i) of the Tobacco and Related products Regulations 2016.

This offence being attributable to the neglect of Bektas Erdogan As a Director of the body corporate by virtue of Regulation 47(1)(b)

- 2) being the Designated Premises Supervisor of that Licensed Premises did knowingly keep on that premises 860 cigarettes (43 packets) which have been imported without payment of duty. Contrary to Section 144(1) of the Licensing Act 2003.

Date of offences: 27th May 2016

Place of offences : 5 Campsbourne Parade, Hornsey High Street N8 7PR

Legislation contravened: The Tobacco and Related products Regulations 2016: The Licensing Act 2003

Brief details: On 27th May 2016 officers seized 43 packets of 20 cigarettes from Superclass at 5 Campsbourne Parade, Hornsey High Street N8 7PR. The cigarettes were foreign cigarettes and in possession for supply. The cigarettes were not UK Duty paid. In addition the cigarettes packets did not bear the correct health warnings both pictorial and written which are required for the UK market.

Please read the declaration below and make sure you understand it before you sign.

- 1. I have admitted to committing the offences shown above. A simple caution is not a criminal conviction, but I understand that details of the caution may be kept on police or other databases.**
- 2. If new evidence comes to light suggesting that the offences I have committed is more serious, the local authority may still take legal action against me.**
- 3. If there are any victims as a result of these offences, they might still take civil action against me and the local authority may give my name and address to the victims so they can do this.**
- 4. If I am charged with another offence, the local authority will tell the court that I have received this simple caution.**
- 5. If I apply for certain licences connected with my business, e.g. under the Consumer Credit Act 1974 or Licensing Act 2003, this caution may be taken into account in any decision.**
- 6. If I already work in a job which is included in the list of notifiable occupations (these are jobs in a position of trust or responsibility, for example, teachers, care workers, taxi drivers, soldiers and doctors), the local authority may tell my employer about this simple caution. (I can ask the local authority for a copy of the full list of notifiable occupations.)**
- 7. If I apply for certain jobs, either paid or unpaid, that need me to have a criminal records check (DBS check), the local authority may give my new employer**

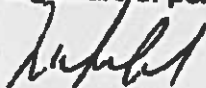
information about this simple caution. (DBS checks are needed for nearly all jobs where you work with children or vulnerable adults, as well as for other sensitive jobs involving a high level of trust.)

8. I understand that accepting this simple caution may mean that some countries will not allow me to live there permanently and some may not allow me to visit (for example, on business, for a holiday or as a student).

I have read and understand all this information.
I agree to accept a simple caution for the offences shown above.

Signature of person cautioned:

Date: 04/11/16



Caution administered by MICHAEL SQUIRE

Job title: TACTICAL TRAINING STANDARDS ENFORCEMENT OFFICER

Council: HARINGEY

Office address: ALEXANDRA HOUSE, 10 STATION RD N17 7TR

Signature:



Date:

4/11/16

ETHNIC ORIGIN

In view of the importance of ensuring that every cautioning decision is taken on the basis of fair and equal treatment irrespective of ethnic origin, the Head of Legal Services maintains a record of the ethnic origin of persons cautioned in order that decisions may be monitored. Please specify Ethnic Origin (not Nationality) as UK European, Greek-Cypriot, Turkish-Cypriot, African, Caribbean/West Indian, Asian, Irish or Other (specify):

Ethnic Origin KURDISH.....

Companies House

BETA This is a trial service — your [feedback \(https://www.research.net/r/chbeta\)](https://www.research.net/r/chbeta) will help us to improve it.

Search for companies or officers

SUPERCLASS EXPRESS LTD

Company number 10201462

Registered office address

4-5 Campsbourne Parade, High Street, London, England, N8 7PR

Company status

Active

Company type

Private limited Company

Incorporated on

26 May 2016

Accounts

First accounts made up to 31 May 2017
due by 28 February 2018

Confirmation statement

First statement date 25 May 2017
due by 8 June 2017

Nature of business (SIC)

To be provided on next annual return.

Companies House

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Search for companies or officers

SUPERCLASS EXPRESS LTD

Company number 10201462

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/10201462/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/10201462/persons-with-significant-control)

Filter officers

Current officers

Apply filter

1 officer / 0 resignations

ERDOGAN, Bektas

Correspondence address 4-5, Campsbourne Parade, High Street, London, England, N8 7PR

Role Active Director

Date of birth May 1979

Appointed on 26 May 2016

Nationality British

Country of residence United Kingdom

Occupation Director

Anderson Chanel

From: Barrett Daliah
Sent: 09 May 2017 11:46
To: Anderson Chanel
Subject: FW: Representation in support of revocation Superclass 4-5 Campsbourne Parade London N8

Dear Trading Standards RA,

The Licensing Authority is very concerned that these premises have been found on more than one occasion with illicit and or smuggled duty unpaid alcohol/tobacco. Section 144 of the Licensing Act 2003 makes specific reference to offenses related to smuggled goods in licensed premises. A person commits an offence if he knowingly keeps or allows to be kept, on any relevant premises any goods which have been imported without payment of duty or which have otherwise been unlawfully imported.

It has been well documented that the sale of contraband cigarettes and alcohol is a matter of considerable concern to the Government. In addition, some of the goods sold would not have been manufactured by responsible manufacturers but are fake products smuggled from Eastern European Countries and China on behalf of organised criminal gangs and could therefore contain potentially dangerous ingredients.

We are very concerned that the licence holders has chosen to both uphold the licensing objectives of crime and disorder public safety and prevention of harm to children despite being given help and assistance from the Authorities after the first discovery of illicit tobacco in 2016. It is clear that if the premises are not visited periodically by the Authorities it is very likely that they would continue to sell illicit and or smuggled non duty paid goods to the local community.

The Licensing Authority's duty is to take steps with a view to promotion of the licensing objectives in the interests of the wider community and not those of the individual licence and therefore recommend that the premises licence is revoked on this occasion.

Regards

Licensing Team Leader
On behalf of Licensing Authority



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

T. 020 8489 8232

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

Please consider the environment before printing this email.

Appendix 2 – Secretary of State's Guidance

Reviews arising in connection with crime

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

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

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

Review of a premises licence following closure order

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

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

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

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

Barrett Daliah

From: Millward Deborah
Sent: 09 May 2017 16:42
To: Licensing
Cc: Ukandu Monica; Stevenson Sam
Subject: RE: Application for a Review of a Premises Licence: - SuperClass Convenience Store, 4-5 Campsbourne Parade, Hornsey, London, N8 7PR (WK/380718)

Dear Licensing

Ref: SuperClass Convenience Store
4-5 Campsbourne Parade
Hornsey
N8 7PR

I as a representative of the Director of Public Health act as the responsible authority under the Licensing Act 2003.

Public Health has specific concerns about the applicant's ability to uphold the 4 licensing objectives following seizures of illicit alcohol and illicit tobacco from the licensed premises under the control of the Premise License Holder and Designated Premises Supervisor Mr Bektas Erdogan on 24th January 2017 (illicit alcohol) and 24th May 2016 (illicit tobacco).

The premises have not adequately demonstrated their commitment to uphold the licensing objectives, particularly relating to the prevention of **crime and disorder, public safety and protecting children from harm**. The Licensing Authorities approach to the supply of illicit goods is set out in Haringey's Statement of Licensing Policy 2016-21 at paragraph 58. It states that where illicit goods have been found it is considered as poor management which has the potential to undermine the licensing objectives.

Crime and disorder

The premise is located on Campsbourne Parade, a busy residential and commercial area of Haringey with a number of licensed businesses in the immediate local area. In total, there are 4 other licensed premises within 500m of Superclass. The premise is located near to Hornsey station, a popular commuter station.

The repeated sale of illicit tobacco and illicit alcohol constitutes illegal activity in direct contradiction to a commitment to the prevention of crime and disorder, and has likely exacerbated issues in the area. The LSOA (small geographical area) in which the premise is located saw 9 alcohol related ambulance callouts in 2015/16.

Public Safety

From a public safety perspective the findings are of significant concern. Legally produced and certified alcoholic drinks are made with ethanol – alcohol which is safe to drink in moderation. Counterfeit alcoholic drinks can be produced using cheaper types of alcohol which can have serious adverse health effects. Commonly used substitutes for ethanol include chemicals used in cleaning fluids, nail polish remover and automobile screen wash, as well as methanol and isopropanol which are used in antifreeze and some fuels. Drinking alcohol containing these chemicals can cause nausea and vomiting, abdominal pain, drowsiness and dizziness. This can also lead to kidney or liver problems and even coma. Methanol, the substance which has been found in fake vodka can cause permanent blindness.

Protecting Children from Harm

There are 8 schools within 500m of the premise, including an infant's school, primary school and secondary school within 300m of the premise. Due to the large number of schools in the area we have concerns over the safeguarding of children.

Recommendations

As a result of the aforementioned public health are not confident in licensee's ability to promote the 4 licensing objectives. We therefore recommend that the committee considers revoking the license.

Should committee not revoke the license we recommend that the Designated Premises Supervisor be removed from the license and we also recommend the following conditions be attached to the license.

- *No alcoholic goods or tobacco products will ever be purchased or taken from persons calling to the shop. The licensee will ensure that all purchases are made from authorised wholesalers and invoices for all goods on the premises will be made available and produced for inspection by council officers, police or HMRC upon request.*
- *The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol or tobacco products.*
- *A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.*
- *An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.*
- *If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Trading Standards as soon as possible.*
- *The licensee shall adopt the 'Challenge 25 policy', and promote it on their premises through the prominent display of posters.*
- *The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the council licensing team, Trading Standards or the police.*
- *The licensee shall ensure that staff are trained on relevant matters including the conditions on the premises licence; age restricted products; and (if they are ever left in charge of the shop) the operation of the cctv system and how to deal with visits from authorised officers. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by authorised officers. Staff shall sign to confirm that they have received and understood the training.*
- *Age-restricted products training shall cover the following steps: the assessment of age; how and when to challenge for proof of age; acceptable proof of age and how to check it; and recording refusals.*

These conditions are designed to ensure that the licensee takes appropriate steps to promote and uphold the 4 licensing objectives. We believe that all licensees who are fulfilling their duty to promote the licensing objectives will be already complying with many of these conditions. These are the type of precautions needed to meet Haringey's Statement of Licensing Policy requirement of a high standard of management.

Yours

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Appendix 3 – Statement of Licensing Policy

Objective 5 – To work with partners to prevent and reduce more serious crime, in particular youth crime and gang activity. This will be delivered by working in partnership with police colleagues, schools and residents and businesses.

19 The above Priorities and objectives are underpinned by a number of cross – cutting principles, namely;

- Prevention and early intervention – preventing poor outcomes for young people and intervening early when help and support is needed.
- A fair and equal borough – tackling the barriers facing the most disadvantaged and enabling them to reach their potential;
- Working together with our communities – building resilient communities where people are able to help themselves and support each other.
- Value for Money – achieving the best outcome from the investment made;
- Customer focus – placing our customers needs at the centre of what we do;
- Working in partnership – delivering with and through others.

20 How the Policy works

This Licensing Policy sets out the relevant information on how licence Applications will be determined and how licensed premises are expected to operate in Haringey, as well as explaining how licensing integrates with other related strategies for the borough. The aims of this Licensing Policy are to pursue and promote the Licensing Objectives

Written and Spoken English

The Licensing Authority considers it reasonable that those who hold licences and persons involved in the sale of alcohol are able to understand the terms of the licence and their legal obligations. It is also expected that those making sales of alcohol can understand and converse in the English language and be able to read and write in English so as to be able to complete documents such as refusals books and read training guides.

Where relevant representations are made, and a lack of understanding of basic written and / or spoken English is a factor in those representations, consideration may, if appropriate, be given to attaching conditions to premises licences and club premises certificates that require the licence holder and staff connected with the business, attend a 'Basic Skills' course. This would be at cost to the applicant.

21 This policy has five main aims:

- To help inform elected members on the licensing committee to make decisions on licensing matters.
- To set out, for the benefit of prospective applicants, responsible authorities; local residents; and licensed operators, the parameters under which this authority will make its licensing decisions.
- To inform prospective licensees how a licensed premises is likely to be able to operate within an area. Licensed premises suitable for the neighbourhood within which they are located and that support the neighbourhood.
- To inform local residents and licensed operators how their needs will be addressed.
- To minimise the number of licensing decisions that may be challenged in a court of law.

22 The policy supports a number of other key aims and these include:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed operators.
- Giving the police and local 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 our local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area.
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them. Section 3, Para 125 and following, will be particularly helpful for residents in this context.

23 Consultation for the Licensing Policy

In accordance with Section 5(3) of the Licensing Act 2003, the following were consulted in respect of the formulation of this Licensing Policy:

- a) the chief officer of police for the licensing authority's area
- b) the fire authority for that area
- c) such persons as the licensing authority considers to be representative of holders of Premises Licences issued by that authority
- d) such persons as the licensing authority considers to be representative of
- e) Such persons as the licensing authority considers to be representative of holders of Licences issued by that authority
- f) Such other persons as the licensing authority considers to be representative of businesses and residents in its area

24 What is covered by the policy:

The Licensing Act 2003 regulates the following activities

- The retail sale of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of "regulated entertainment"
- The provision of "late night refreshment"

25 Definitions:

'Regulated entertainment'

Subject to the conditions, definitions and exemptions set out in the Act, "regulated entertainments" includes:

- A performance of a play.
- An exhibition of a film.
- An indoor sporting event.
- Boxing or wrestling entertainment.
- A contest, exhibition or display which combines boxing or wrestling with one or more martial arts ("combined fighting sports").
- A performance of live music.

Where payment has not been made by the due date as a result of a genuine administrative error, or because the licence holder disputed liability for the fee before or at the time of the due date, there shall be a grace period of 21 days to resolve the matter before the licence is suspended.

51 Duplication with other regulatory regimes

In exercising its licensing functions, the licensing authority shall seek to avoid duplication with any other existing legislation and regulatory regimes that already place obligations on employers and operators e.g. the Management of Health and Safety at Work Regulations 1999, the Regulatory Reform (Fire Safety) Order 2005, or the Environmental Protection Act 1990.

52 Section 2 Licensing Objectives

Promoting the Licensing Objectives in Haringey

The licensing authority works in conjunction with partners (Responsible Authorities) such as Environmental Health, Trading Standards, Police, Planning Department, Anti Social Behaviour Team, Enforcement Response Team, National Health Service (NHS), Local Safeguarding Children Board (LSCB), Public Health Team and Fire Authority, in delivering a range of initiatives aimed at ensuring the promotion of the Licensing Objectives throughout Haringey such as:

- Joint-agency enforcement exercises
- Proactive monitoring of licensed premises
- Test purchase operations
- multi-agency meetings
- The establishment of Public Spaces Protection Orders where, following a direction from a police officer or authorised officer, alcohol may not be consumed publicly.
- Pub watch schemes/ Best Bar None Schemes.
- Responsible Retailer Scheme
- Conducting training in responsible alcohol service and conflict management
- Alcohol Diversion Schemes.
- Attendance and participation in local and community meetings and workshops

53 LICENSING HOURS

The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics and activities of the business and type of premises, examining any steps that might reduce the risk of nuisance.

However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.

54 THE FIRST LICENSING OBJECTIVE THE PREVENTION OF CRIME AND DISORDER

between 0800 and 2000 hours.

- Limiting any nuisance or glare caused by the positioning of external lighting, including security lighting
- Preventing odour or pests from refuse storage and waste disposal and the accumulation of litter and smokers waste in the vicinity of the premises.
- The need for regular patrols of the boundary of the premises and / or at the nearest residential to ensure nuisance impacts are not being experienced by neighbours.

82 Applicants are recommended to seek advice from the council's environmental protection team when preparing their operating plans and schedules. Where relevant, applicants are also advised to refer to:

- The Institute of Acoustics "Good Practice Guide on the Control of Noise from Pubs and Clubs"
- Noise at Work Guidance for employers on the Control of Noise at Work Regulations 2005 issued by the Health and Safety Executive and obtainable from <http://www.hse.gov.uk/pubns/indg362.pdf>
- In the case of large music events, the Code of Practice on Environmental Noise Control at Concerts produced by the Noise Council together with Haringey Noise Team policies
- Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems produced by DEFRA
- Guidance Notes for the Reduction of Obtrusive Light – Institute of Lighting Engineers (2005)

83 This section of the policy is intended to provide a guide to prospective licence applicants as to the types of controls that may be appropriate for the promotion of the prevention of public nuisance licensing objective. It is neither intended to provide a definitive list of preventative measures nor will the controls listed be appropriate in every circumstance. They are provided to be considered and modified to fit the proposed business operation.

Applicants should note that where its discretion is engaged following consideration of relevant representations, the licensing authority will consider attaching appropriate conditions to licences to prevent nuisance. This may include additional site specific controls relevant to the planned activities and their timing.

84 Preventing nuisance outside of premises

Nuisance caused by patrons outside of premises, whether by patrons queuing for entry; enjoying the facility of a beer garden or terrace; or by smokers congregated on the pavement, is of considerable concern to local residents. While noise is often the main concern, obstruction of the highway preventing people passing by on the pavement and forcing them into the road, can also be both intimidating and dangerous and hamper access by emergency services, or street cleansing. Local residents may be further affected by smoke from barbeques and other cooking equipment used in the open air.

Licensees have a responsibility for the conduct of their customers while they are in and around their premises. If provision is made for customers to congregate or smoke outside of premises, then sufficient management controls must be put into place to ensure that no nuisance or disturbance is caused to local residents. Failure to control customers outside of premises can result in licence reviews being submitted and impact upon the premises licence.

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