

PREMISES LICENCE

Receipt: AG1028021

Premises Licence Number: LN/000009790

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
1st Floor River Park House, 225 High Road,
Wood Green, London N22 8HQ**

Signature:

Date: 16th March 2012

Review: 15th May 2017

Part 1 – PREMISES DETAILS

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

**RAKKAS
369 GREEN LANES
LONDON
N4 1DY**

Telephone: 020 3489 2515

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol

Regulated Entertainment: Live Music and Recorded Music

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

Supply of Alcohol

Monday to Sunday 1100 to 0130

Live Music

Monday to Sunday 1800 to 0130

Recorded Music

Monday to Sunday 1100 to 0130

Late Night Refreshment

Monday to Sunday 2300 to 0200

The opening hours of the premises:

Monday to Sunday 0800 to 0200

The external rear area can only be used during the following times:

Sundays 1000 to 2100

Monday to Thursday 0800 to 2100

Friday to Saturday 0800 to 2300

LICENSING ACT 2003

Sec 24

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

Supply of alcohol for consumption **ON** and **OFF** the premise.

Part 2

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

Ali Sukran Ozbek
369 Green Lanes
London
N4 1DY

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:

Ali Sukran Ozbek

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: LN200500602
Issued by: London Borough of Enfield

Annex 1 –Mandatory Conditions

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

Annex 1 –Mandatory Conditions

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature.

6. The responsible person shall ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula –

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

Where –

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

Annex 1 –Mandatory Conditions

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

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

Health and safety steps will be taken and training will be given to all staff members including food and hygiene training.

THE PREVENTION OF CRIME AND DISORDER

A digital CCTV system will be installed in the premises.

Cameras must be sited to observe the entrance doors from the inside.

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.

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.

Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so the Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.

SIA door supervisors will be available on Friday to Sunday between 2000 to 0200 hours.

PUBLIC SAFETY

Signage will be displayed for Emergency exits

Fire alarms and smoke detectors will be installed

Emergency lighting will be installed and maintained on the premises.

THE PREVENTION OF PUBLIC NUISANCE

Security men will be available when licensable activities are taking place.

The premises will be made soundproof.

Prevention of nuisance from noise

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 will be provided in public areas.

Sound limits

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

Outside Areas

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

Annex 2 – Conditions consistent with the Operating Schedule

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

Deliveries and collections

Deliveries and collections associated with the premises will be arranged between the hours 8am to 6pm Mondays to Saturdays so as to minimise the disturbance caused to the neighbours

Glasses will be collected from the external area at the beginning of the day rather than at closing time when neighbours in close proximity might be unduly disturbed

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

Plant and machinery

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

Patrons entering/exiting premises

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

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.

Regulated entertainment and the sale of alcohol will cease half an hour before the premises closes. Reason: To allow for drinking up time and a gentle egress of patrons.

Prevention of nuisance from light

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

THE PROTECTION OF CHILDREN

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

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

Smoking will only be allowed in the designated area.

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

RESOLVED 30th June 2014

The Committee carefully considered the application, the representations by the responsible authorities and those of the interested parties. The Committee also took into account the Council's Statement of Licensing Policy and the s182 guidance.

The Committee decided that in order to promote the licensing objectives particularly relating to public nuisance, it was appropriate to grant in part as follows:

Supply of alcohol

The external rear area can only be used during the following times:

Sundays	1000 to 2100
Monday to Thursday	0800 to 2100
Friday and Saturday	0800 to 2300

The following condition is to be added to the licence:

“SIA door supervisors will be available on Friday to Sunday between 2000 to 0200 hours”

Due to the fact that the licence holder had been found to have breached the licence on at least three occasions, the Committee felt that it would be inappropriate to grant the licence in full as requested.

RESOLVED 7th November 2016

The Committee carefully considered the application for a premises licence review issued by the enforcement response team, the representations of two local residents and the licence holder, the Council's Statement of Licensing Policy and the s182 guidance.

The Committee resolved to

- 1) Suspend the following licensable activity for the period of time set out below:

The playing of live and recorded music on the premises is suspended for one month

- 2) Modify the conditions of the licence as follows:

Live & Recorded Music – with effect from the date of the expiry of the one month suspension of the playing of live and recorded music, live music will thereafter be permitted as follows:

Sunday to Thursday	1800 to 2230 hours
Friday and Saturday	1800 to 0000 hours

Supply of alcohol

Monday to Sunday	1100 to 0130 hours
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Late night refreshment

Monday to Sunday	2300 to 0200 hours
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Hours open to the public

Monday to Sunday	0800 to 0200 hours
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Annex 3 – Conditions attached after a hearing by the licensing authority

The external areas can only be used during the following times:

Sundays	1000 to 2100 hours
Monday to Thursday	0800 to 2100 hours
Friday and Saturday	0800 to 2300 hours

- Prior to the re commencement of the licensable activity of live and recorded music, an acoustic volume control (noise limiting device) shall be installed and operated to any sound system used at the premises. The level of the automatic volume level controller must be set by and operated at a level agreed in writing by an authorised officer of Haringey Council's Enforcement Response team. The noise limiting device will be secured by and to the satisfaction of the authorised officer. The noise control device setting shall not be altered in any way, and its operation interfered with in any way without the prior written consent of an authorised officer of Haringey Council's Enforcement Response team.
- The Committee strongly recommends that the licence holder and his staff undertake appropriate training so as to improve their awareness of the impact that events at their establishment have on their neighbours.

The Committee considered that a one month suspension of the playing of live and recorded music and modification of the licence were appropriate and proportionate responses to the representations made by the Enforcement Response team. The committee's reasons for suspending the licence and modifying the licence conditions were because the responsible authority had identified that ten noise nuisance complaints related to the premises had been investigated by the team in the period of October 2014 to July 2016. These incidents which resulted in the current review were in the committee's view (and by the licence holders own admission) not taken seriously. The Committee noted that enforcement action had been taken more than once in response to these incidents including the issuing of noise warning letters and the serving of a number of abatement and fixed penalty notices. The Committee considered the licence holder would have been in no doubt that his failure to uphold the licensing objectives and prevent public nuisance was an offence and that such an offence could put his licence at risk. Despite this the committee concluded that there was a clear and deliberate failure by the licence holder to uphold and promote the licensing objectives in relation to the prevention of public nuisance and that efforts were only now being taken by the licence holder in response to the bringing forward of a review.

The Committee decided that it would afford the licence holder a further opportunity to demonstrate that he would comply fully with the law and his obligations as a licence holder but wanted the licence holder to be aware that should this matter come before the Committee again, it would take a dim view of any repetition of the activities highlighted in this review. The Committee also noted that it found the representations of the residents to be credible.

The Committee approached its enquiries with an open mind and only made its decision after having heard from all parties and considered that a variation in the licence conditions was an appropriate and proportionate response to those representations that were put before it.

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A tamper-proof noise-limiting device shall be fitted to the sound system within the premises and all amplified music played at the premises must pass through this sound limiter at a level agreed by the Council's Environmental Health section.

A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.

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

Local residents shall be invited to quarterly resident's meetings held by the premises licence holder to resolve any problems associated with the carrying on of licensable activities at the premises. The minutes of the meeting and any action to be taken shall be lodged with the Councils Licensing Unit by the premises licence holder within seven days of the meeting.

Annex 4 – Plans

