

PREMISES LICENCE

Receipt: SELMS00017229

Premises Licence Number: LN/000028799

This Premises Licence has been issued by:

***The Licensing Authority, London Borough of Haringey,
Level 4 Alexandra House, 10 Station Road,
Wood Green, London N22 7TR***

Signature:

Date: 12th December 2024

Part 1 – PREMISES DETAILS

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

CHEZ NICKY
295 WEST GREEN ROAD
LONDON
N15 3PA

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Regulated Entertainment: Recorded Music

Late Night Refreshment

Supply of Alcohol

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

Recorded Music

Friday to Saturday **2300 to 0030**

Late Night Refreshment

Friday to Saturday **2300 to 0030**

Christmas Eve, Christmas Day, New Year's Eve and New Years' Day from 2300 to 0130 hours.

Sale of Alcohol

Sunday to Thursday **1100 to 2330**

Friday to Saturday **1100 to 0030**

Christmas Eve, Christmas Day, New Years' Eve and New Year's Day 1100 to 0130 hours.

PREMISES DETAILS [CONT'D]

The opening hours of the premises:

Sunday to Thursday 0700 to 0000

Friday to Saturday 0700 to 0100

Christmas Eve, Christmas Day, New Year's Eve and New Year's Day from 1000 to 0200 hours.

The area at the rear does not form part of the licensed area.

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

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

Part 2

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

Chez Nicky Ltd

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

15887910

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

Mampasi Lemba

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/24878

Issued by: London Borough of Islington

Annex 1 –Mandatory Conditions

Supply of alcohol.

1. No supply of alcohol may be made under the premises licence;

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

(a) a holographic mark, or

(b) an ultraviolet feature.

6. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

Annex 1 –Mandatory Conditions

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. Prohibition on Sale of Alcohol below Cost of Duty plus VAT.

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

(2) For the purposes of the condition set out in paragraph (1) —

(a) —duty^{ll} is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) —permitted price^{ll} is the price found by applying the formula —

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

Where —

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol

(c) —relevant person^{ll} means, in relation to premises in respect of which there is in force a premises licence —

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence,
or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant person^{ll} means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) —valued added tax^{ll} means value added tax charged in accordance with the Value Added Tax Act 1994

(3) Where the permitted price given by Paragraph (b) of paragraph (2) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (a) Sub-paragraph (b) below applies where the permitted price given by Paragraph (b) of paragraph (2) on a day (—the first day^{ll}) would be different from the permitted price on the next day (—the second day^{ll}) as a result of a change to the rate of duty or value added tax.

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

Exhibition of films.

1. Admission of children to the exhibition of any film is to be restricted in accordance with the recommendations made by the specified film classification body.

2. Where —

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Annex 1 –Mandatory Conditions

3. In this section –

—childrenll means persons aged under 18; and —film classification bodyll means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Door supervision.

1. Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

A CCTV system shall be installed and maintained in full working order.

The CCTV system will record footage of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue and exit.

All public areas will be covered by the CCTV system including the bar, seating area, and external perimeter.

The premises shall not be open at any time when the CCTV is not operating correctly.

There shall be at least one member of staff on duty at all times the premises are in operation who is trained and proficient in the operation of the CCTV system and who is capable of operating and retrieving footage at the request of police, council or other authorised officers.

All CCTV footage shall be kept for a period of thirty-one (31) days and shall be made immediately available for inspection to officers of the Police and the Council on request.

An incident book / incident recording system shall be kept at the premises to record details of any of the following occurrences at the premises:

- Instances of anti-social or disorderly behaviour, Violence. Calls to the police or fire brigade Abuse of staff and / or customers
- Ejections of people from the premises Visits to the premises by the local authority, police or fire brigade Refused sales of alcohol.
- Any malfunction in respect of the CCTV system Seizures of drugs at the premises
- Any other relevant incidents

The incident book / incident recording system shall record the time, date, location and description of each incident, the printed and signed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available / be accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available to officers of the council, police or fire brigade on request.

Two SIA registered door supervisors will be engaged on Friday, Saturday and Sunday nights at the entrance of the premises. They will be employed from 22:00 hours until the end of business until all patrons have vacated the premises. They will be engaged to monitor admission and re-admission to the premises, security and dealing with conflict.

The Licensee shall risk assess the requirement for additional SIA on any day and be responsible for the implementation of additional SIA. This risk assessment shall be recorded in written form and made available for inspection by authorised officers and police.

At the terminal operating hour, SIA registered door supervisors will be engaged with dispersal of patrons. SIA staff dispersing patrons will be identifiable in high visibility jackets

If a Pub watch scheme exists in respect of the local area, then the licensee / management will join and participate in the Pub watch scheme.

Alcohol shall not be supplied otherwise than to persons taking table meals for consumption by such persons as ancillary to the meal.

Should the premises remain open for non-licensable activities customers shall not have access to alcohol after the licensed hours. This shall be prevented by the use of shutters / locked fridges.

The premises will have a Zero -Tolerance approach to drug use on the premises.

Toilets at the premises shall be checked for any sign of drug use on average of every two hours between 18:00 hours and closing time. A record shall be kept of the times, dates and any issues

Annex 2 – Conditions consistent with the Operating Schedule

discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police upon request.

PUBLIC SAFETY

Clearly legible signage shall be prominently displayed in the toilets and other areas of the premises where it can easily be seen and read by customers, advising to the effect that the taking of illegal drugs will not be tolerated at the premises. These notices shall be kept free from obstructions at all times.

Appropriate risk Assessments will be carried out against the Licensing objectives by taking into consideration the capacity of premises.

An adequate number and types of fire extinguishers will be provided as well as fire doors, fire alarm, and smoke alarm systems, which will be serviced and maintained. Staff will be trained on use of fire extinguishers and evacuation procedures.

The Licensee will ensure that lighting and ventilation is kept in good order, while all electrical equipment will be tested and certified.

A First Aid Box with the appropriate accessories will be maintained on the premises.

THE PREVENTION OF PUBLIC NUISANCE

A Noise Limiting device shall be installed and fitted to the music amplification equipment. This will be set to the level agreed by the Environmental Health Officers of Haringey Council.

Any recorded music being played must have a noise limiter.

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

A dedicated phone contact number will be displayed at the premises for members of the public to report issues to management of the premises.

From 22:00hrs on Friday, Saturday and Sunday nights an hourly perimeter check will be undertaken by management of the premises. This check will be recorded in a dedicated record book. Details of this perimeter check will be made available immediately at the request of an authorised council officer or police officer.

When a taxi is ordered for the collection of customers from the premises staff members will instruct the taxi service to instruct the taxi driver's not to sound their car horns outside the premises, but to approach the premises in person and verbally (without raised voices) alert staff that the drivers are at the premises to collect customers.

A dedicated taxi number will be made available to members of the public. Staff at the premises will manage private hire bookings and notify patrons of arrival of private hire vehicles.

The premises will notify and invite residents in the locality of the premises to a resident meeting once every 3 months.

That there shall be no new admission, or re-admission, of the public to the premises on weekends after 01:00hrs with the exception of those that temporary leave to smoke in the designated area at the front of the venue.

Alcohol cannot be taken Off the premises at any time.

No open containers of alcohol shall be taken from the premises at any time.

There shall be no removal of alcohol from the premises after 0100hrs.

Annex 2 – Conditions consistent with the Operating Schedule

That the premises' management shall regularly monitor outside the premises and take all necessary steps to ensure that noise from patrons or premises operation does not cause disturbance or public nuisance. A log of such monitoring including the printed name of the person who undertook the monitoring, the date & time of the monitoring and any observations or actions taken subsequent to the monitoring shall be kept at the premises and be made immediately available to council or police officers on request.

A written dispersal policy shall be devised regarding the premises and maintained in use at all times that the premises are in operation. A copy of the dispersal policy shall be kept at the premises with the licence and be made available for inspection to council and / or police officers. All relevant staff shall be trained regarding the implementation of the policy. That any amendments to the agreed dispersal policy shall be by way of consultation with Police and licensing authority.

Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and pedestrians by not gathering in groups or loitering outside the premises. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

No more than 3 persons shall be permitted to smoke outside the front of the premises at any one time. The area shall be adequately supervised to control the number and behaviour of patrons and to ensure that they do not block the highway or cause a noise nuisance. Notices shall be displayed in the area specifying the terms of its use and asking patrons to use the area quietly.

Staff shall actively discourage patrons from congregating around the outside of the premises.

The outside garden /rear area to be closed to all patrons at all times.

All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles outside between 23:00 hours and 07:00 hours.

Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

Deliveries will not be made to the premises between the hours of 18:00 and 09:00 hours.

Couriers collecting orders to act in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

THE PROTECTION OF CHILDREN

A Challenge 25' Scheme shall be implemented.

Age verification policy will be adopted to prevent underage sales of alcohol.

A 'No ID No Sale' policy will be in place with acceptable identification being a passport and photo card driver's license.

Record of refusals will be kept at the premises and be produced on request by the Police and/or Local Authority. The record shall record the date, time of refusal and the name of the staff member who refused the sale.

All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.

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

Annex 2 – Conditions consistent with the Operating Schedule

Any children on the premises after 19:30 must be there for the purpose of consuming a substantial table meal and be accompanied by an adult.

Delivery (food only) can only be made to a domestic dwelling or place of business.

If there is no one available to take in the delivery, the courier shall not leave it in an unattended safe place for collection later. It can be left with a neighbouring property only if the Challenge 25 condition above is taken into account.

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

RESOLVED 12th December 2024

The Committee decided to GRANT the application.

The Committee requires the Applicant to adhere to the Conditions proposed by the Applicant at pages 69-70 & 79-81 of the Committee papers (section M of the Application pack).

REASONS:

The committee gave serious consideration to the submissions by the Applicant and to the concerns raised by the objectors.

It was noted that there were objections to the very late hours proposed by the applicant from both the Police and the Noise Team. Those objections can be summed up by the view there would be a contravention of the principle to prevent public nuisance and crime and disorder. It was very likely that customers leaving at such late hours may be intoxicated causing significant sleep disturbance, likely to cause noise nuisance. The resident indicated that there would be significant disturbance to her enjoyment of her property which was directly above the premises.

The Committee were also particularly concerned about the very early hours for alcohol sales proposed, given two local schools nearby, hence the later hours agreed for opening for alcohol sales.

There was also a distinct lack of any plans for managing sales and delivering off the premises or plans to limits gathering, delivery rider traffic, noise, congregating or facilities for them hence the refusal to grant OFF premises sales of alcohol.

There was some confusion with regards to the application as it was not entirely clear what was being sought. Initial the representative for the applicant clearly indicated that they were agreeable to all the conditions proposed by the Police and most importantly would not be using the rear/garden area for the purposes of the business. On that basis both the police and Noise Team withdrew their objections on the proposed conditions.

However, contradicting his own representatives, the Applicant later indicated, that although he agreed with the conditions and timings, he still wanted to use the rear/garden areas. Despite the confusion the Committee resolved to take that as the basis of the application as it was made directly by the Applicant.

It was noted, to the credit of the applicant that he had agreed additional conditions with the Police to alleviate the above concerns and the notice team also indicated that there was no objection in principal once these conditions were agreed.

The Committee note objections that the late hours and alcohol sales would turn the restaurant into a nightclub-, but accepted the applicant's representations that it was an ordinary Restaurant seeking to play some ambient background music.

It was also noted and acknowledged by the Applicant that there is in fact a planning restriction in place which means the rear/garden area could not be used in any event.

It was evident to the Committee that the late sale of alcohol in such a premises would contribute to potential public nuisance and & disorder and agreed to reduce to the hours for late sale of alcohol to the times above.

In light of the above, it was deemed that a grant of the application with the above variations and conditions balanced the interest of the applicants, the residents and the licencing objectives.

Annex 4 – Plans

