

#### 4. REPORT

##### Background

The premises licence was granted to a Mr Arben Neza in November 2005 to allow Provision of Late Night Refreshment and the Supply of Alcohol until 0230 hours Monday to Sunday. Mr Neza was granted a variation to his licence in October 2006 to allow him to have Regulated Entertainment on the premises. In September 2007 the Premises Licence was transferred to a Mr Omar Herso Wadar. Mr Wadar then applied to vary the Premises Licence to remove the sale of alcohol in October 2007 and this was granted. In August 2009 Mr Wadar varied the licence again to put the Supply of Alcohol back on the licence, with a Mrs Kayowa Kabeya acting as Designated Premises Supervisor. In January 2010 the licence was transferred to Mrs Kabeya.

Licensable activities authorised by the Licence:

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

Provision of Late Night Refreshment

Monday, Tuesday & Thursday: 2300 to 0200

Wednesday & Sunday: 2300 to 0300

Friday & Saturday: 2300 to 0500

Provision of Regulated Entertainment:

Live Music:

Sunday & Wednesday: 2100 to 0230

Monday & Tuesday: 2100 to 0130

Thursday: 2100 to 0130

Friday & Saturday: 2100 to 0430

Recorded Music, Performances Of Dance, Provision Of Facilities For Dancing:

Monday Tuesday & Thursday: 0800 to 0130

Wednesday & Sunday: 0800 to 00230

Friday & Saturday: 0800 to 0430

**The opening hours of the premises:**

Monday, Tuesday & Thursday: 0800 to 0200

Wednesday & Sunday: 0800 to 0300

Friday & Saturday: 0800 to 0500

The designated premises supervisor is: MRS KAYOWA KABEYA

The Premises Licence Holder is: MRS KAYOWA KABEYA

## **4.2 Details of the Application for Review. Appendix 1**

The Police seek a review of the Premises Licence for the above mentioned premises on the grounds of Crime and Disorder and Prevention of Public Nuisance.

“It is the intention of the Police to offer a balanced and fair perspective and to present all of the issues receiving Police interest since the middle of 2009. Police have dealt with over 60 incidents at these premises ranging from serious assaults and rowdy behaviour. See CRIS reports and CAD reports. The Blue Bar is a club which attracts a predominantly black clientele from the Congolese community. The Designated Premises Supervisor, Ms K Kabeya, appears not to take her responsibilities seriously and does not have any control over her clientele or Security Staff. On the 19<sup>th</sup> July she attended a police Station and I reminded her of her responsibilities and we tried to find ways of dealing with the problems at the club. It would appear that she did not heed my warnings and the assaults and rowdy behaviour continued. Local Authority CCTV and Police covert cameras have detected large scale disturbances outside the club in the early hours of the morning. It would appear from the CCTV that the club’s management fails to comply to its trading hours and most of its Premises Licence conditions. The Police Clubs and Vice branch have attended the premises to discover that the door staff are not registered with the Security Industry Authority. I feel that all of the above highlight that this premises is having a disproportionate effect on the Policing of Haringey Borough. I believe that this must be seen as an opportunity to examine in detail the matters that have occurred based on the principles of the licensing objectives. I believe a full review of the licence will ensure the appropriate weight is given to the evidence included in this application and will allow the licensing committee to consider the options available to them. I also reserve the right to rely on further incidents of crime and disorder or breaches of licensing objectives that take place between now and the hearing.”

## **5.0 RELEVANT REPRESENTATIONS (CONSULTATION)**

**Responsible authorities:**

### **5.1 Comments of Metropolitan Police**

No representation made.

### **5.2 Comments of Enforcement Services:**

**Noise Team**

No representation made.

### **5.3 Comments of The London Fire and Emergency Planning Authority**

No representation made.

## 6.0 POLICY CONSIDERATIONS

- 6.1 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.

- 6.2 The following provisions of the Secretary of State's guidance apply to this application: Paras 11.1 – 11.10, 11.14 – 11.21. These provisions are attached at Appendix 2.
- 6.3 The following paragraphs of the licensing authority's Statement Of Licensing Policy apply to this application; 24.1 -24.2, 25.1 – 25.7, these provisions are attached at Appendix 3.
- 6.4 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 1 REVIEW  
APPLICATION AND SUPPORTING  
DOCUMENTATION

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Inspector Mark Hembury

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Blue Bar 675 High Road	
<b>Post town</b> Tottenham	<b>Post code (if known)</b> N17 8AD

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mrs.Kayowa Kabeya
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<b>Number of premises licence or club premises certificate (if known)</b> LN/000003162
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**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 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**

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 Inspector Mark Hembury Quicksilver Patrol Base Western Road Wood Green N.22 6UH
Telephone number (if any) 0203 276 0142
E-mail address (optional)

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

Please tick one or more boxes

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

**Please state the ground(s) for review (please read guidance note 1)**

The Police seek a review of the premises licence for the above mentioned premises on the grounds of Crime & Disorder & Prevention of Public Nuisance.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

It is the intention of the Police to offer a balanced and fair perspective and to present all of the issues receiving Police interest since the middle of 2009. Police have dealt with over 60 incidents at these premises ranging from serious assaults and rowdy behaviour. See CRIS reports and CAD reports. The Blue Bar is a club which attracts a predominately black clientele from the Congolese community. The Designated Premises Supervisor a Ms.K.Kabeya appears not to take her responsibilities seriously and does not have any control over her clientele or Security Staff. On the 19th July she attended the Police station and I reminded her of her responsibilities and we tried to find ways of dealing with the problems at the club. It would appear that she did not heed my warnings and the assaults and rowdy behaviour continued. Local Authority c.c.t.v. and Police covert cameras have detected large scale disturbances outside the club in the early hours of the morning. It would appear from the c.c.t.v. the clubs management fails to comply to its trading hours and most of it's Premises Licence conditions. from The Police Clubs and Vice branch have attended the premises to discover that the door staff are not registered with the Security Industry Authority. I feel that all the above highlight that this premise is having a disproportionate effect on the Policing of Haringey Borough. I believe that this must be seen as an opportunity to examine in detail the matters that have occurred based on the principles of the licensing objectives. I believe a full review of the licence will ensure the appropriate weight is given to the evidence included in this application and will allow the licensing committee to consider the options available to them. I also reserve the right to rely on further incidents of crime & disorder or breaches of licensing objectives that take place between now and the hearing.



**Please tick yes**

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

If yes please state the date of that application

Day Month Year

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



## PREMISES LICENCE

Receipt: AG763207

Premises Licence Number: LN/000003162

*This Premises Licence has been issued by:*

**The Licensing Authority, London Borough of Haringey,  
Technopark, Ashley Road, Tottenham, London N17 9LN**

Signature:.....

Date: 27<sup>th</sup> September 2007,  
11<sup>th</sup> January 2010

### Part 1 – PREMISES DETAILS

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

**BLUE BAR  
675 HIGH ROAD  
TOTTENHAM  
LONDON  
N17 8AD**

Telephone: 020 8885 0500

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

N/A

**Licensable activities authorised by the Licence:**

Provision of Late Night Refreshment

Provision of Regulated Entertainment: live music, recorded music, performances of dance, provision of facilities for dancing

Supply of Alcohol

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

Provision of Late Night Refreshment

Monday, Tuesday & Thursday: 2300 to 0200

Wednesday & Sunday: 2300 to 0300

Friday & Saturday: 2300 to 0500

Provision of Regulated Entertainment:

Live Music:

Sunday & Wednesday: 2100 to 0230

Monday & Tuesday: 2100 to 0130

Thursday: 2100 to 0130

Friday & Saturday: 2100 to 0430

LICENSING ACT 2003

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**Recorded Music, Performances Of Dance, Provision Of Facilities For Dancing:**

**Monday Tuesday & Thursday: 0800 to 0130**

**Wednesday & Sunday: 0800 to 00230**

**Friday & Saturday: 0800 to 0430**

**The opening hours of the premises:**

**Monday, Tuesday & Thursday: 0800 to 0200**

**Wednesday & Sunday: 0800 to 0300**

**Friday & Saturday: 0800 to 0500**

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

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

**Part 2**

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

Mrs Kayowa Kabeya  
13 Selborne Road  
Wood Green  
London  
N22 7TL

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

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

Mrs Kayowa Kabeya  
13 Selborne Road  
Wood Green  
London  
N22 7TL

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

LN/000005087

Issued by: London Borough of Haringey

Expires: 06/02/2017

## **Annex 1 –Mandatory Conditions**

**(2) Supply of alcohol:** 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.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **Door supervision**

At specified times one or more individuals must be at the premises to carry out a security activity and each of these individuals must be licensed by the Security Industry Authority.

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

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

Premises to report any suspicious or illegal activities

Premises will have security employees who will man the doors and patrol the bar area.

The security team will check customers for drugs and weapons upon entering the premises and will not hesitate to call the relevant authorities.

The licensee will fix 6 CCTV cameras at the premises: 3 outside, 1 on the first floor and 2 on the ground floor.

The premises will be locked at night and closed.

Premises will have sufficient lighting inside and outside.

All excess stock and cash will be kept in the safe and premises will have 3 storages.

Policy is to be in place and posters will be in place at the premises to prevent alcohol and drug use.

Door supervisors will be used at all times when licensable activity is being carried out.

Persons suspected of carrying weaponry or illegal drugs will be searched and excluded from the premises.

An orderly queue will be maintained outside the venue.

#### Conditions as agreed with Metropolitan Police:

##### *On Tottenham Hotspur Football Club Match Days:*

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

A digital CCTV is to be installed and made available to Police on demand. Copies are to be kept for 30 days.

### **PUBLIC SAFETY**

Premises will adhere to all Health and Safety regulations

Fire exits will be checked on a regular basis.

Premises will have a full fire alarm and sprinkler system and illuminated exit signs.

There will be 4 fire extinguishers at the premises.

There will be a smoke detector, fire alarm, fire exit, heat detector and call point at the premises.

Premises will comply with all statutory fire and safety controls and will hold a fire certificate.

There will be a heat detector ventilation control and extractor fans will be in place.

All incidents will be reported.

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

Clear and visible notices will be displayed on the premises advising that CCTV has been installed and is being used on the premises.

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

Premises will not serve those who are intoxicated.

A 30-minute "drinking up" time will be implemented.

Customers will be asked to leave the premises quietly and the relevant signage will be displayed.

The premises will not play any loud music which may cause nuisance to the public.

No activities will take place at the premises which may cause noises or sounds to emanate from the premises.

Rubbish bins and refuse will be kept at the rear of the premises.

Bins will be provided for customer use.

Doors and windows will be kept closed (except for access and egress) to reduce noise nuisance from the premises.

During final hour of opening the music will be played at a lower volume than previously.

Conditions agreed with The Noise Team:

#### **Operating hours**

That the premises closes no later than 02:00 on Monday, Tuesday and Thursday; that the premises closes no later than 03:00 on Wednesday and Sunday; and not later than 05:00 on Friday and Saturday.

That regulated entertainment ceases 30 minutes before closing times in order to minimise noise breakouts as the premises empties.

#### **Prevention of nuisance from noise/vibration**

All doors and windows will remain closed during the regulated entertainment licensed 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 a particular entrance 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

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

### **Structure borne noise**

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

### **Sound limits**

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

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

### **Outside Areas**

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

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

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

The frontage will be closed and patrons requested to come inside the main structure of the premises at 23:00 hours

### **Deliveries and collections.**

Deliveries and collections associated with the premises will be arranged between the hours 08:00 and 18:30, Mon- Sat, and none on Sundays and Bank Holidays so as to minimise the disturbance caused to the neighbours

Glasses will be collected 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

### **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 complainants name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers



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

Regular state frequency liaison meetings will be held where requested to enable neighbours to raise concerns about any aspect of the licensed activities

### **Patrons entering/exiting premises.**

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

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

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

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

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

### **Prevention of nuisance from litter**

Adequate receptacles for use by patrons will be provided in the local vicinity. The positioning of the receptacles will be agreed with the licensing officer

### **Prevention of Nuisance from Odour**

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

### **Prevention of nuisance from light**

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

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

## **THE PROTECTION OF CHILDREN**

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

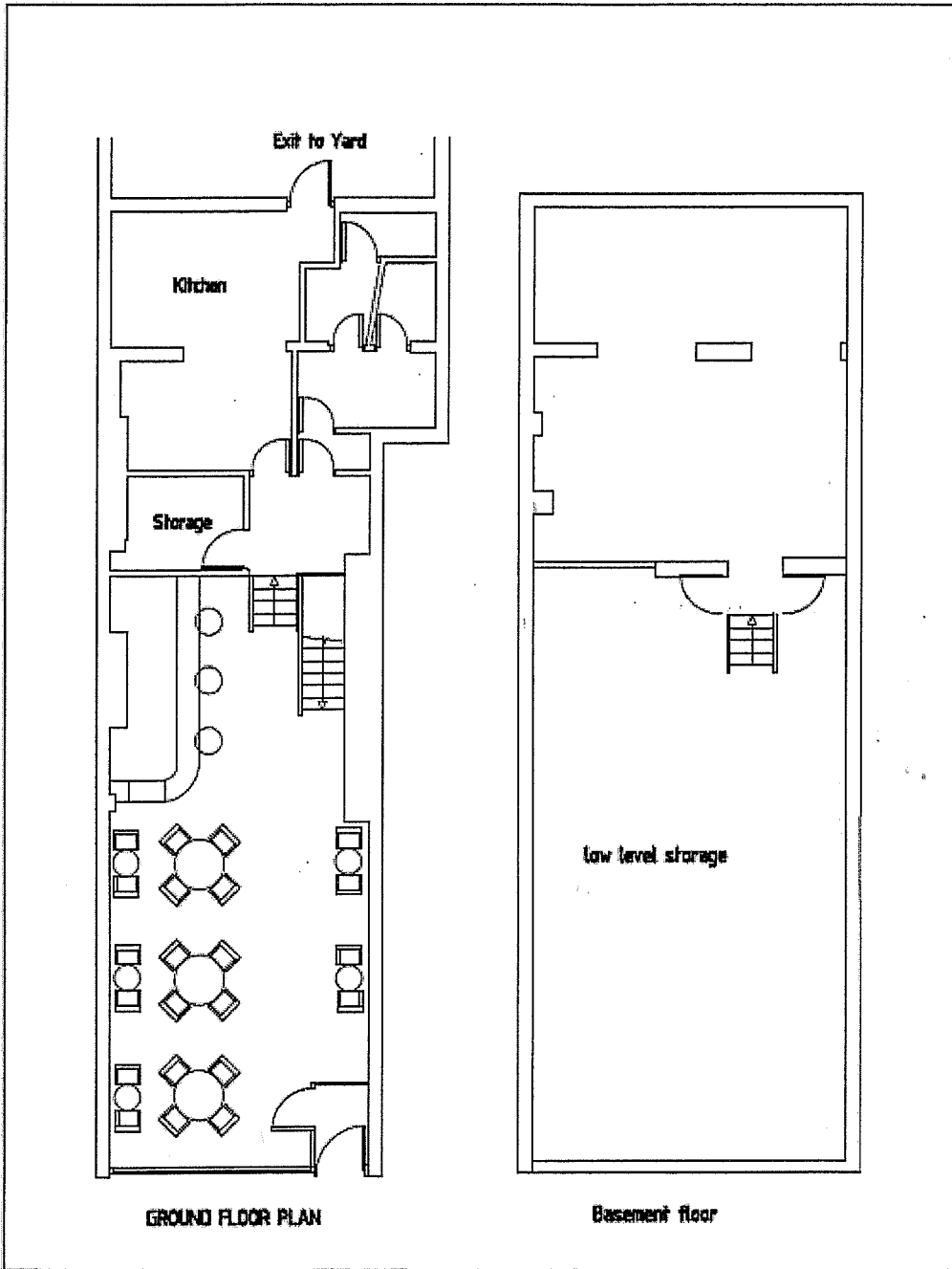
Unaccompanied children will not be allowed on the premises at any time.

The premises will only be open to adults.

Proof of identity will be checked when necessary.

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

# Annex 4 - Plans



www.enki.co.uk  
**ENKI**  
 Architectural Design  
 60's Governors Road, MK1 9ST  
 Tel: 01298 4881  
 e-mail: info@enki.co.uk

Project: 129 High road, Tetbury MK1 9AD	Date: 07/03/2009	Drawn: GO	Scale: 1:100
Drawing Title: BASEMENT & GROUND FLOOR PLAN		Drawing no : OCT/001	