

4. REPORT

Background

Mr Khalid Khan applied to convert the premises licence for the Duke of Cambridge and this was granted in November 2005. In August 2006 he applied to vary his Premises Licence to allow regulated entertainment and extended hours for licensable activities. This application went to a Committee Hearing and was granted with conditions in September 2006. Prior to the variation being granted warning letters were sent out to the premises for operating outside the terms and conditions of their licence.

In April 2007 a warning letter was issued to the premises for operating outside the conditions of the licence as the Fire Officer had not yet confirmed that the works required to be carried out to the premises were of a satisfactory standard to allow regulated entertainment to take place at the premises. In October 2007 another warning letter was sent to Mr Khalid Khan at the premises reminding him that he has a duty to comply with the conditions of the licence and requesting that he contact the Licensing Authority as visits to the premises found no one to be taking responsibility for the daily running of the premises.

Licensable activities authorised by the Licence:

Supply of Alcohol

Monday to Friday	1000 to 0200
Saturday	1100 to 0200
Sunday	1200 to 0200
Good Friday	1200 to 2230
Christmas Day	1200 to 1500 & 1900 to 2230

Provision of Late Night Refreshment:

Monday to Sunday	2300 to 0300
------------------	--------------

Provision of Regulated Entertainment:

Friday & Saturday	2100 to 0200
Christmas Eve	2100 to 0200

New Years Eve licensable activities from the start of permitted hours on 31 December until the start of permitted hours on 1 January.

The opening hours of the premises:

Monday to Friday	1000 to 0300
Saturday	1100 to 0300
Sunday	1200 to 0300

Good Friday	1200 to 2250
Christmas Eve	2100 to 0200
Christmas Day	1200 to 1520 & 1900 to 2250

New Years Eve licensable activities from the start of permitted hours on 31 December until the start of permitted hours on 1 January.

**The designated premises supervisor is: MR KHALID KHAN
The Premises Licence Holder is: MR KHALID KHAN**

4.2 Details of the Application for Review. Appendix 1

Ranapratab Ramdonee and local residents have submitted an application for the review of a premises licence under the Prevention of Crime and Disorder objective, Public Safety objective and Prevention of Public Nuisance objective:

“This is an entertainment premises from 433-435 West Green Road with the back of the building and garden stretching into Stanley Road. This club is not conducive to a decent way of living for residents who live in Stanley Road. There have been several complaints of nuisance noise, diabolical parking by patrons frequenting the club, bad behaviour by the patrons and the scattering of rubbish along the road.

I have made some recording of the incidents on my video camera. I have informed the Leader of the Council via e-mail of this matter. Further, the Noise Enforcement Office at Haringey Council has written to me acknowledging the complaint.

At least I saw police about the premises which I believe related to disorder emanating from the club.

Finally, after concern from most residents I was asked to set up a petition which is attached with the application.

- 1. The premises are located in a densely populated residential area and the activities are not conducive to this area.**
- 2. The premises, especially in summer, play loud music and provide a barbecue service in its open back garden, which is even closer to the houses. The noise emanating then becomes unbearable.**
- 3. Patrons arrive by vehicles. This causes heavy congestion and almost incessant noise well in the early hours of the morning (usually until about 4am). Thus my car has suffered damages to the bumpers directly related to very tight parking.**
- 4. The premises have been noted for moving about empty bottle crates well in the early hours of the morning, which is very noisy.**
- 5. Patrons usually stand out after closure and literally shout at each other up and down Stanley Road.**
- 6. Litter of cans and bottles has become a serious problem. There is also vomiting occasionally. On one occasion I have heard a male and female attempting sexual intercourse in the park opposite my house.**
- 7. At least, I have noticed the presence of police due to disorder.”**

5.0 RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

5.1 Comments of Metropolitan Police

No representation made.

5.2 Comments of Enforcement Services:

Noise Team

Representation has been made and tabled at Appendix 2.

5.3 Comments of The London Fire and Emergency Planning Authority

No representation made.

6.0 POLICY CONSIDERATIONS

Attached at Appendix 3 is the statement of the licence holder, Mr Khalid Khan.

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:

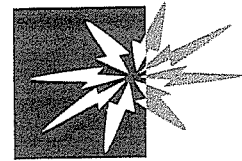
1. Take no further action
2. modify the conditions of the license
3. exclude a licensable activity from the scope of the license
4. remove the designated premises supervisor
5. suspend the license for a period not exceeding three months
6. revoke the license.

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 4.
- 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 5.
- 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 APPLICATION FOR REVIEW AND SUPPORTING DOCUMENTATION



Haringey Council

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

Reference number:

(1)

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

(2) *I/We RANAPRATAB RAMDONEE & THE PETITIONERS*

apply for the review of a [premises licence under section 51]

[club premises certificate under section 87] of the Licensing Act 2003 for the premises
described in Part 1 below

Part 1 - Premises or club premises details

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description <i>NILE BAR RESTAURANT 433-435 WEST GREEN ROAD LONDON</i>	
Post town <i>LONDON</i>	Postcode (if known) <i>N15 3PJ</i>
Telephone number (if any)	
Name of premises licence holder or club holding club premises certificate (if known) <i>NILE BAR RESTAURANT.</i>	
Number of premises licence or club premises certificate (if known)	

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an interested party (please complete section (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

Delete any words in square brackets which do not apply

- (1) Insert name and address of relevant licensing authority and its reference number (optional)
(2) Insert name(s) of applicant(s)

Please tick yes :

- 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)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

RAMDONEE

R

I am 18 years old or over Please tick yes

Date of birth

Day	Month	Year
01	05	1952

Current address

37 STANLEY ROAD
LONDON

Post town LONDON

Postcode N15 3HR

Daytime contact telephone number

020 8374 1361

E-mail address
(optional)

rramdnee@yahoo.co.uk

(B) DETAILS OF OTHER APPLICANT

Name and address

Post town

Postcode

Date of birth

Day	Month	Year

Telephone number (if any)

E-mail address
(optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Post town

Postcode

Telephone number (if any)

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)

- 1) The premises are located in a densely populated residential area and the activities are not conducive to this area.
- 2) The premises, especially in summer, play loud music and provide a barbecue service in its open-back garden, which is even closer to the houses. The noise emanating then becomes unbearable.
- 3) Patrons arrive by vehicles. This causes heavy congestion and almost incessant noise well in the early hours of the morning (usually until about 4am). Thus, my car has suffered damages to the bumpers directly related to very tight parking.
- 4) The premises have been noted for moving about empty bottle crates well in the early hours of the morning, which is very noisy.
- 5) Patrons usually stand out after closing and literally shout at each other up and down Stanley Road.
- 6) Litter of cans and bottles has become a serious problem. There are also vomits occasionally. On one occasion I have heard a male and female attempting sexual intercourse in the park opposite my house.
- 7) At least, I have noticed the presence of police due to disorder.

Please provide as much information as possible to support the application

(please read guidance note 2)

The new licensee is a restaurant/club (hereinafter club) operator, running some entertainment premises from 433 to 435 West Green Road with the back of the building and garden stretching in Stanley Road.

The Club provides entertainment (food and music) to patrons that last till 3 am, according to details provided to me by the Leader of the Council. The premises are open 7 nights per week.

Please provide as much information as possible to support the application

(please read guidance note 2)

As detailed out in the opening statement, this club is not conducive to a decent way of living for residents who live in Stanley Road. There have several complaints of nuisance noise, diabolical parking by patrons frequenting the club, bad behaviour by the patrons and the scattering of rubbish along the road.

I have made some recording of the incidents on my video camera. I have informed the Leader of the Council via e-mail of this matter. Further, the Noise Enforcement Office at Haringey Council has written to me acknowledging the complaint.

At least I saw police about the premises which I believe related to disorder emanating from the club.

Please provide as much information as possible to support the application

(please read guidance note 2)

Finally, after concern from most residents I was asked to set up a petition which is attached with the application.

Please tick ✓ yes

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day	Month	Year

If you have made representations before relating to these premises, please state what they were and when you made them.

Please tick ✓ yes

- 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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature 

Date 27.08.2010

Capacity RESIDENT.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Postcode
Telephone number (if any)	
If you would prefer us to correspond with you using an email address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

A PETITION

To

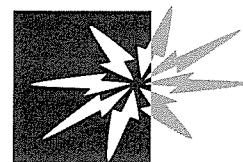
HARINGEY COUNCIL

TO DO THE FOLLOWING:

TAKE ALL NECESSARY ACTIONS TO CONTROL, REDUCE AND ELIMINATE THE DISORDER, INVOLVING VERY LOUD NOISE, PARKING OF VEHICLES AND GENERAL BAD BEHAVIOURS THAT TAKE PLACE DURING THE NIGHT ABOUT THE PUBLIC HOUSE CALLED ^{OR THE NILE} 'THE DUKE', AT THE JUNCTION OF STANLEY ROAD AND WEST GREEN ROAD.

NAME	ADDRESS	SIGNATURE	DATE
R. RAMDONEE	37 Stanley Road.		31.7.10
T. RAMDONEE	37 Stanley Rd		31.7.10
R. S. RAMDONEE	37 Stanley Rd	RSR	31.7.10
A Butler	43 Stanley Rd.		31.7.10
	43 Stanley Rd	R. BUTLER	"
J. Engdger	45 Stanley Road		"
P HARROP	51, Stanley Rd		"
R. Toftetos	57, STANLEY Rd.	R. Toftetos	31.7.10
A COLEMAN	55 STANLEY RD		31/7/10
B. MAHABIR	33, STANLEY Road		31/7/10
H. MAHABIR	33 Stanley Rd	H. Mahabir	31/7/10
A. MAHABIR	33 STANLEY RD	A Mahabir	31/7/10
F PUTTYRAT	17 STANLEY RD		31/07/10
N. Puttyrat	17 Stanley Rd		31/07/10
Sangida	15 Stanley Road		31/7/10
MURAT	13 STANLEY ROAD		31/07/10
Liam MURPHY	FLAT B, 1, STANLEY RD, N15 7AB		31/7/10
BRIAN HOOD	441 WEST GRN ROAD		1-8-10
WAGAN	31, Stanley Rd		1/8/10

Notice of Application for the review of a Premises Licence



Haringey Council

Notice is given that application has been made to the Licensing Authority for a review of the premises license under s.51 and 87 of the Licensing Act 2003 in respect of the following premises:

**DUKE OF CAMBRIDGE (ALSO KNOWN AS THE NILE)
433-435 WEST GREEN ROAD
TOTTENHAM
LONDON N15 3PL**

The application for review has been made on the following grounds:

**THE OPERATION OF THE PREMISES HAVE FAILED TO UPHOLD THE
LICENSING OBJECTIVES OF:**

- **THE PREVENTION OF CRIME AND DISORDER**
- **PUBLIC SAFETY**
- **THE PREVENTION OF PUBLIC NUISANCE**

Interested parties or responsible authorities wishing to make representations must give notice in writing to:

**Lead Officer –Licensing, Haringey Council, Unit 271, Technopark,
Ashley Road, Tottenham, London N17 9LN**

By: 27th September 2010

The grounds for review and Haringey Councils Licensing register may be viewed by appointment Monday to Friday (except Bank Holidays) at the Licensing Team, Unit 271, Technopark, Ashley Road, Tottenham, London N17 9LN between the hours of 10.00am and 4.00pm.

**IT IS AN OFFENCE LIABLE ON CONVICTION TO A FINE UP TO LEVEL
5 ON THE STANDARD SCALE (£5000), UNDER SECTION 158 OF THE
LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN
CONNECTION WITH THIS APPLICATION**



2005-2006
Getting Closer to Communities



INVESTOR IN PEOPLE

PREMISES LICENCE

Receipt: AG766713

Premises Licence Number: LN00002148

This Premises Licence has been issued by:

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

Signature:

Date: 24TH November 2005

Part 1 – PREMISES DETAILS

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

**DUKE OF CAMBRIDGE
433/435 WEST GREEN ROAD
TOTTENHAM
LONDON
N15 3PL**

Telephone: 020 8888 4669

Where the Licence is time limited, the dates:

Not Applicable.

Licensable activities authorised by the Licence:

Supply of Alcohol

Provision of Late Night Refreshment

Provision of Regulated Entertainment: Recorded Music, Provision of Facilities for Making Music and Dancing

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

Supply of Alcohol

Monday to Friday 1000 to 0200

Saturday 1100 to 0200

Sunday 1200 to 0200

Good Friday 1200 to 2230

Christmas Day 1200 to 1500 & 1900 to 2230

LICENSING ACT 2003

Section 24

Provision of Late Night Refreshment:

Monday to Sunday 2300 to 0300

Provision of Regulated Entertainment:

Friday & Saturday 2100 to 0200

Christmas Eve 2100 to 0200

**New Years Eve licensable activities from the start of permitted hours on 31
December until the start of permitted hours on 1 January.**

LICENSING ACT 2003
Sec 24

The opening hours of the premises:

Monday to Friday	1000 to 0300
Saturday	1100 to 0300
Sunday	1200 to 0300
Good Friday	1200 to 2250
Christmas Eve	2100 to 0200
Christmas Day	1200 to 1520 & 1900 to 2250

New Years Eve licensable activities from the start of permitted hours on 31 December until the start of permitted hours on 1 January.

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

Supply of alcohol for consumption both **ON** & **OFF** the premises.

Part 2

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

Mr Khalid Khan
35 Glenhurst Road
North Finchley, London
N12 9UB
Telephone: 079701 62508

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:

Mr Khalid Khan
35 Glenhurst Road
North Finchley, London
N12 9UB
Telephone: 079701 62508

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

O1SX/WK/200509746

Issued by London Borough of Barnet

Expires: 14th September 2015

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

Provisions of all Licensing Acts will apply.

THE PREVENTION OF CRIME AND DISORDER

Premises to be run in accordance with current Licensing Acts, particularly with regard to sales to persons under the influence.

A digital Closed Circuit Television System will be installed and maintained in the premises. The CCTV system will be recording at all times when the premises are open and the recordings shall be made available to the Police and Council on request.

A minimum of two SIA approved door supervisors will be employed on the premises between 2100 hours and the closing of the premises on Friday, Saturday, Christmas Eve and New Years Eve and at all pre-booked events.

The management will inform the Police and Local Authority of the name of the promoters and artists who will be performing at any function at the premises with 14 days notice of the events.

The Designated Premises Supervisor will be an active member of Pub Watch and will attend meetings on a regular basis.

PUBLIC SAFETY

The premises will comply with the statutory requirements.

Fire safety equipment will be checked regularly and any requirements made by the Fire Safety Officer will be complied with.

The work required by the Fire Officer in the Schedule reference 31/012685 will be completed to the satisfaction of the Fire Officer. The variation will only come into effect after this has been completed and until such time none of the licensable activities requested may be carried out.

THE PREVENTION OF PUBLIC NUISANCE

Appropriate steps will be taken to deal with any and all instances of public nuisance which may arise, particularly those involving noise disturbances.

A sound limiter will be installed on the premises, the limits of which will be agreed in conjunction with the Council and residential properties.

Signs will be displayed at the exit reminding customers to leave quietly and respect the neighbours.

Staff will call Taxis/Mini cabs for the use of customers leaving the premises when requested to do so.

THE PROTECTION OF CHILDREN

Strict controls will apply regarding the sale of tobacco and/or alcohol to underage persons. Premises will operate a strict ID policy.

No children under the age of 18 will be admitted to the premises after 2100 hours on Fridays, Saturdays, Christmas Eve and New Years Eve and the age will be checked at the door by requesting photographic identification where there is any doubt that they are over the age of 18.

All staff will be trained that alcohol will only be sold to persons who can produce photographic identification where there is any doubt that they are over the age of 18.

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

A sound limiter will be installed on the premises, the limits of which will be agreed in conjunction with the Council and residential properties.

All works identified by the Fire Officer must be carried to the satisfaction of the Fire Officer prior to the commencement of regulated entertainment.

Annex 4 – Plans

LODGED WITH LICENSING AUTHORITY