

#### 4. REPORT

2

##### Background

A premises licence was originally granted to Mr Hatem Koc in November 2005 for a Premises Licence at this address in the name of Tabla Bar and Grill to allow Provision of Late Night Refreshment until midnight Monday to Wednesday, until 1am Thursday and Sunday and until 2am Friday and Saturday. A new Premises Licence application for Grill Kebab House was then applied for in February 2008 by Mr Hatem Koc. This went forward to Committee Hearing and was subsequently granted in April 2008 to allow Provision of Late Night Refreshment until 0230am Sunday to Thursday and until 0345am Thursday to Saturday, with the condition that door supervisors are used at the premises.

Licensable activities authorised by the Licence:

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

Provision of Late Night Refreshment

Sunday to Thursday	2300 to 0230
Friday and Saturday	2300 to 0345

The Premises Licence Holder Is: Mr Hatem Koc

There is no Designated Premises Supervisor as the Premises is not licensed to sell alcohol.

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

- The Licensee has allowed the premises to remain open after the permitted time on his licence, thereby encouraging noise nuisance from the public queuing outside awaiting to be served.
- The Licensee has allowed his premises to remain open after permitted time on his licence, thereby endangering the public, whether awaiting customers or passing public due to the narrow foot path and possible danger of traffic hitting them.
- The Licensee has not been fully complying with his Premises Licence conditions, as set out under the current Premises Licence.
- The Licensee has failed to have a SIA door staff until closing.

On Sunday 9<sup>th</sup> October 2011 at 04:10am, authorized officers attended the location to find it still open and serving customers and no SIA on the door as per his licence conditions. Other members of the public waiting outside the premises for the friends inside the shop, talking loudly and occasionally shouting, blocking the free flow of the public footpath, endangering people stepping into the road to pass them. Upon leaving another customer came in and collected a takeaway.

On Sunday 16<sup>th</sup> October 2011 at 04:10am, authorized officers attended the location and observed the premises door closed but customers being served and no SIA on the door as per his licence conditions. Other members of the public waiting outside premises for the friends inside the shop, talking loudly and occasionally shouting, blocking the free flow of the public footpath, endangering people stepping into the road to pass them.

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

**Responsible authorities:**

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

Have made representation in support of the review which includes CCTV footage. APP 2

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

**Environmental Health Officer**

No representation made.

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

No representation made.

## **6.0 Comments of Interested Parties**

No letters of representation have been received.

## **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.

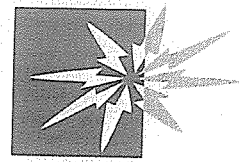
Where the Licensing Sub Committee takes steps mentioned in 3 or 4 it may provide that the modification or exclusion is to have effect for one such period (not exceeding three months) as it may specify. The Licensing Sub Committee is asked to give full reasons for its decision.

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.

- 7.2 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 3.
- 7.3 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 4
- 7.4 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 CURRENT LICENCE

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



Haringey Council

Reference number:  
**202032**

(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 apply for the review of a [premises licence under section 51]  
of the Licensing Act 2003 for the premises described in Part 1 below**

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description <b>Grill Kebab House, 270 Muswell Hill Broadway,</b>	
Post town <b>London</b>	Postcode <b>N10 2QR</b>
Telephone number (if any)	

Name of premises licence holder :	<b>Hatem Koc</b>
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Number of premises licence or club premises certificate :	<b>LN / 00006334</b>
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**Part 2 - Applicant details**

I am

Please tick ✓ yes

- |   |                          |
|---|--------------------------|
| 1) an interested party (please complete section (A) or (B) below)                   | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises                                  | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises               | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises                    | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

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

I am 18 years old or over

Please tick ✓ yes

Date of birth

Day Month Year

<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------

Current address

Post town

Postcode

Daytime contact telephone number

E-mail address  
(optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address:

Post town

Postcode

Date of birth

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Telephone number (if any)

E-mail address  
(optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address	Charles Buckle Enforcement response Officer Unit 271 Technopark
Post town: London	Postcode: N17 9LN

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 | <input type="checkbox"/>            |
| 2) public safety                        | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/>            |

**Please state the ground(s) for review**

- 1 - The Licensee has allowed the premises to remain open after permitted time on his license, thereby encouraging noise nuisance from the public queuing outside awaiting to be served.
- 2 - The Licensee has allowed his premises to remain open after permitted time on his license, thereby endangering the public, whether awaiting customers or passing public due to the narrow foot path and possible danger of traffic hitting them.
- 3 - The Licensee has not been fully complying with his Premises Licence conditions, as set out under the current Premises Licence.
- 4 - The Licensee has failed to have a SIA door staff until closing.

Please provide as much information as possible to support the application:

On Sunday 9<sup>th</sup> October 2011 at 04.10 am, authorized officers attended the location to find it still open and serving customers and no SIA on the door as per his license conditions. Other members of the public waiting outside premises for the friends inside the shop, talking loudly and occasionally shouting, blocking the free flow of the public footpath, endangering people stepping into the road to pass them. Upon leaving another customer came in and collected a takeaway.

On Sunday 16<sup>th</sup> October 2011 at 04.10 am, authorized officers attended the location and observed the premises door closed but customers being served, and no SIA on the door as per his licensing conditions. Other members of the public waiting outside premises for the friends inside the shop, talking loudly and occasionally shouting, blocking the free flow of the public footpath, endangering people stepping into the road to pass them.



Have you made an application for review relating to these 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 these premises, please state what they were and when you made them.

- 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

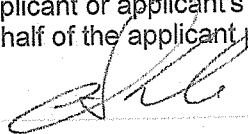
Please tick ✓ yes

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

18<sup>th</sup>/2011

Capacity

Responsible Authority

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.

Haringey Council – Enforcement Response team  
Observation Record  
Vangent ref:

Date: 9/10/11  
Time rec'd: 0410  
Prosecution ref: WK  
FPN ref: WK  
Complaint ref: WK 202032  
Notice ref: WK

Noise from: Grill Kebab House  
Address: 270 Murrell Hill Broadway, N10V  
single family house / purpose built flat / converted flat / hostel / HMO  
HfH PSL  
O/Occ Priv Rent  
RSL Non-domestic

Type of Noise: Music / Voices / Alarm / Dog / Banging / Ventilation / Other

Complainant's Details  
Name: Pro-Active  
Address:  
Tel no:  
HfH PSL  
O/Occ Priv Rent  
RSL Non-domestic

History Check (Complete this before visit)  
i) On Action List? Yes No WL / S 80 / S 60 / Prosecution / Caution / SWL / FPN and date

ii) On potentially violent (PV) List? Yes No  
Instructions if on PV list:

Telephone Calls to Complainant:  
Time: ..... Result of Call: .....  
Time: ..... Result of Call: .....  
Time: ..... Result of Call: .....

Visit to Complainant / Area: Arrival Time: 0410 Departure Time: .....

Occupier Name Check ..... Date: .....

Source of Information: Council Tax / NNDR HfH OHMS RSL Other

If other or RSL specify source:  
NS21 October 2011

Observations

No active visit to check premises are conforming to licensing conditions e.g. closing at 0345 & having a SIM on duty.

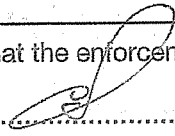
On 9<sup>th</sup> at 0910 with WPS 468 Kreebone and I attended the Gail Mahab Hse. Upon entering I ID myself and asked to speak to the person in charge. A male behind the counter said he was. During visit he was just finishing serving 3 customers. He had had two men there now, and the left, the other remain still waiting for his meal. I informed the male staff that the premises should be shut. He explain they were customers who came in before they had closed. I informed him it was no. 0410, his licence should state he should close at 0345 and close the door 15 minutes before that I also asked where his SIM number was, he said he will have at 0345. I found the male the male would be reported for operating beyond his permitted hours, not having a SIM on station. I also advised him to turn the door sign to closed and close the door. We then left. On leaving by on leaving I asked another male customer key served.

- |   |                                  |                         |
|---|----------------------------------|-------------------------|
| DN01 No visit - noise stopped           | DN04 Nuisance confirmed reported | DN10 Licensing response |
| DN02 No visit - other                   | DN05 Nuisance confirmed abated   | DN11 Planning response  |
| DN03 No visit - out of remit            | DN06 Nuisance not established    |                         |
| DN12 No visit - call cancelled          | DN09 No officer on duty          |                         |
| DN13 No time to visit                   | DN07 Noise not on now response   |                         |
| DN14 No visit - no response complainant | DN08 Proactive completed         |                         |

Action: 1<sup>st</sup> Advisory letter / EPA - WL / EPA S80 notice / CoPA letter / CoPA S60 notice

ASBAT referral / Special WL following notice / Offence / FPN Other circle all that apply

I certify that the enforcement action taken is in accordance with the Council's enforcement policy

Signed:  Name: Choke Date: 9/01

Haringey Council – Enforcement Response team		Observation Record	
Date: 16 <sup>th</sup> /4		Vangent ref:	
Time rec'd: 0410		Prosecution ref: WK	Complaint ref: WK 202032
		FPN ref: WK	Notice ref: WK
Noise from	Grill Kebab Hse Address: 270 Manor Rd, Roachy single family house / purpose built flat / converted flat / hostel / HMO		HfH PSL O/Occ Priv Rent RSL Non-domestic
Type of Noise: Music / Voices / Alarm / Dog / Banging / Ventilation / Other .....			
Complainant's Details			
Name: Pro active		HfH PSL	
Address: .....		O/Occ Priv Rent	
Tel no: .....		RSL Non-domestic	
History Check (Complete this before visit)			
i) On Action List? Yes No WL / S 80 / S 60 / Prosecution / Caution / SWL / FPN and date			
ii) On potentially violent (PV) List? Yes No			
Instructions if on PV list: .....			
Telephone Calls to Complainant: Time: ..... Result of Call: .....			
Time: ..... Result of Call: .....			
Time: ..... Result of Call: .....			
Visit to Complainant / Area: Arrival Time: ..... Departure Time: .....			
Occupier Name Check ..... Date: .....			
Source of Information: Council Tax / NNDR HfH OHMS RSL Other			
If other or RSL specify source: NS21 October 2011			

Observations

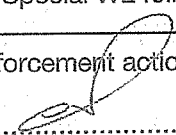
Attended location, stood opposite shop, and observed a male customer leaving the shop at 0810. Saw owner of shop then close door & sewing window. A few seconds later, after a couple of customers lapsed on the door, two more came out of shop, close door & something to the customer, he then looked up & down the road and walked up by KFC looking around. He then returned to the shop, opened the door & let up customers inside and closed the door, he remained by the door looking up and down again, he walked a few steps up toward KFC then returned to the door. He opened it went inside and closed the door, then a few seconds later returned to the door and opened it for another customer and closed the door again. I saw the grey van arrived the road towards the premises, upon seeing it to the door, the shop a male customer was asking if he could come inside, he left when I ID myself. The van opened the door let a customer out with chips. I spoke to him "I ID myself during my 2 visits I informed him I would be reporting him for operating beyond his licensed condition & time, with no sign. He tried to plea that they were customers already inside. Then he closed door

- |   |                                  |                         |
|---|----------------------------------|-------------------------|
| DN01 No visit – noise stopped           | DN04 Nuisance confirmed reported | DN10 Licensing response |
| DN02 No visit – other                   | DN05 Nuisance confirmed abated   | DN11 Planning response  |
| DN03 No visit – out of remit            | DN06 Nuisance not established    |                         |
| DN12 No visit – call cancelled          | DN09 No officer on duty          |                         |
| DN13 No time to visit                   | DN07 Noise not on now response   |                         |
| DN14 No visit - no response complainant | DN08 Proactive completed         |                         |

Action: 1<sup>st</sup> Advisory letter / EPA - WL / EPA S80 notice / CoPA letter / CoPA S60 notice

ASBAT referral / Special WL following notice / Offence / FPN / Other circle all that apply

I certify that the enforcement action taken is in accordance with the Council's enforcement policy

Signed:  Name: Charles Date: 16/11

Haringey Council – Enforcement Response team  
Observation Record  
Vangent ref:

Date: 16/11  
Time rec'd: 0410

Prosecution ref: WK  
FPN ref: WK

Complaint ref: WK 202032  
Notice ref: WK

Noise from  
Address: Grill Kebabs Hse  
single family house / purpose built flat / converted flat / hostel / HMO

HfH PSL  
O/Occ Priv Rent  
RSL Non-domestic

Type of Noise: Music / Voices / Alarm / Dog / Banging / Ventilation / Other

Complainant's Details  
Name:  
Address:  
Tel no:

HfH PSL  
O/Occ Priv Rent  
RSL Non-domestic

History Check (Complete this before visit)  
i) On Action List? Yes No WL / S 80 / S.60 / Prosecution / Caution / SWL / FPN  
and date

ii) On potentially violent (PV) List? Yes No  
Instructions if on PV list:

Telephone Calls to Complainant:  
Time: ..... Result of Call: .....  
Time: ..... Result of Call: .....  
Time: ..... Result of Call: .....

Visit to Complainant / Area: Arrival Time: ..... Departure Time: .....

Occupier Name Check ..... Date: .....

Source of Information: Council Tax / NNDR HfH OHMS RSL Other

If other or RSL specify source: NS21, October 2011

P2 72

Observations

I informed them I was here let them call in, and that the matter will be reported. I gave them a card and the customer which being handed back to me, and the other still waiting. See the call.

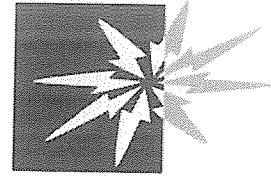
[Dotted lines for additional observations]

- DN01 No visit - noise stopped
- DN02 No visit - other
- DN03 No visit - out of remit
- DN12 No visit - call cancelled
- DN13 No time to visit
- DN14 No visit - no response complainant
- DN04 Nuisance confirmed reported
- DN05 Nuisance confirmed abated
- DN06 Nuisance not established
- DN09 No officer on duty
- DN07 Noise not on now response
- DN08 Proactive completed
- DN10 Licensing response
- DN11 Planning response

Action: 1<sup>st</sup> Advisory letter / EPA -WL / EPA S80 notice / CoPA letter / CoPA S60 notice  
ASBAT referral / Special WL following notice / Offence / FPN / Other circle all that apply

I certify that the enforcement action taken is in accordance with the Council's enforcement policy  
Signed: [Signature] Name: Choke Date: 16/10





Haringey Council

## Licensing Consultation

To: Licensing Officer

From: Enforcement Response (Noise)

Name of Officer preparing representation: Charles Buckle in association with  
Team Leader Enforcement Response, Derek Pearce.

Our Reference: WK203147

Date: 15<sup>th</sup> November 2011

Premises: Grill Kebab House, 270 Muswell Hill Broadway, London, N10 2QR

Type of hearing: Review

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### Supporting Information

The Enforcement Response (noise) team have requested a Review of the Grill Kebab House Premises Licence due to ongoing non-compliance with the terms of the Licence and the continued issues related to late night patrons causing Public Nuisance in the streets around Muswell Hill & Muswell Hill Broadway.

We are also concerned about the Public Safety of members of the public who have attended various licensed premises in the area and loiter in the area on crowded pavements whilst consuming take away food.

The existing Premises Licence was amended on 1<sup>st</sup> July 2009 updating the 3<sup>rd</sup> April 2008 Licence and amended conditions relating to the presence of SIA door staff which had previously required 2 SIA staff to be present.

#### The amended Condition currently states:

- A minimum of one SIA door staff to be employed from 22:00 to close of business on Friday and Saturday nights to monitor the entrance and exit of customers.
- Last admission on Friday and Saturday 15 minutes prior to closing and no re-admittance allowed

The full text of current conditions under The Prevention of Public Nuisance reads as follows

- All customers are asked to respect the surroundings and behave in an orderly manner.
- Signs will be installed to remind customers to respect the neighbours and to behave in a courteous manner.
- Patrons will be discouraged from congregating outside the premises.

- All waste generated by the premises will be dealt with appropriately.
- No deliveries of stock are to be made to the premises between 23:00 and 08:00 on any day.
- There will be no music to be played at the premises other than background music.
- All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it operates effectively and with minimal disturbance to neighbours arising from odour.
- External illumination signs shall be switched off when the premises are closed for licensable activities.
- Security lights will also be positioned to minimise light intrusion into nearby residential dwellings.
- No one shall remain on the premises in the sitting area for consumption of food after 23:00 except for staff and family members.

In this Review we wish to address in particular the issues of Public Nuisance, Public Safety and Crime & Disorder in the area around Muswell Hill late night and on weekend late nights in particular.

#### Current Licence

The Licensable activities authorised by the Licence are as follows:

#### Provision of Late Night Refreshment

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

#### Provision of Late Night Refreshment

Sunday to Thursday	2300 to 0230
Friday and Saturday	2300 to 0345

The opening hours of the premises:

Sunday to Thursday	2300 to 0230
Friday and Saturday	2300 to 0345

We do not consider that the current Premises Licence holder has been managing the premises in accordance with the terms of the Licence and having regard to the Licensing Objectives.

Further, having regard to the circumstances on Muswell Hill Broadway and Muswell Hill at weekend nights, the current hours specified in the Licence are not conducive to furthering the Licensing Objectives.

We request that the licensing authority revoke the licence or suspend the licence for a period.

However if you are not minded to revoke the licence then we request that the licensing authority modify the licence by bringing back the hours for licensable activities (Provision of Late Night Refreshment ) to no later than the following

Sunday to Thursday 23:00 to 01:00

Friday & Saturday 23:00 to 03:00

In making your decision, however, we would request that you have regard to both the history of non-compliance at these premises and also the unique circumstances at Muswell Hill and to revoke the licence or suspend the licence for a period with appropriate changes to the operating schedule and conditions.

Information note:

In the immediate vicinity of Grill Kebab House is

#### Socialite Bar

##### Regulated Entertainment

Sunday to Thursday 1200 to 0300

Friday & Saturday 1200 to 0400

#### Café Loco

##### Recorded Music

Monday to Wednesday 0800 to 0300

Thursday to Saturday 0800 to 0400

#### Village

##### Provision of Regulated Entertainment

Monday to Wednesday 1000 to 0030

Thursday and Sunday 1000 to 0100

Friday and Saturday 1000 to 0200

There is also a premises Manhattan Lights / The Hill Nightclub

Also in the immediate vicinity of Grill Kebab House is Kentucky Fried Chicken, 278 Muswell Hill Broadway, N10 2QR which has the following licensed hours

##### Provision of Late Night Refreshment

Sunday to Thursday 2300 to 0100

Friday & Saturday 2300 to 0300

In regard to SIA door staff Kentucky Fried Chicken have the following condition

- Premises will have SIA - Certified door supervisors from 10pm until closing, Sunday to Thursday and 2 such supervisors from 10pm until closing, Friday and Saturday. High visibility jackets will be worn by door supervisors.

It is our view that each premises should be considered on an individual basis but that regard should also be given to premises in the vicinity, especially where there is an underlying background of generalised anti-social behaviour such as there is at Muswell Hill.

See below for dates and times of visits when Licensing irregularities were identified at Grill Kebab House.

Date reported & time	Observations & time	Outcome	Our Ref WK
10/2/8 02:20 hrs	Visit made at 02.20 hrs, proprietor spoken to re: operating beyond their permitted hours of 02.00 hrs.	Verbal Warning	64761
23/2/8 02:30 hrs	No SIAs as required by licensing conditions.	Verbal Warning	64761
1&2/5/9 23:30 hrs	<p>No SIAs as required by licensing conditions.</p> <p>Officer notes: I visited premises. No SIA staff present at all. Some persons sitting down, not eating or drinking, were waiting for orders to be ready.</p> <p>I spoke to a member of staff who got the owner, Mr Koc on the phone. I advised him who I was and that as a condition of his licence was not being fulfilled he had to close the shop with immediate effect.</p> <p>He was not happy with this as there was a lot of raw food product in the display cabinet and on the Doner spit in readiness for the night's business.</p> <p>After some further discussion he agreed to close the shop. I also said that he must get the two SIA door staff in place for tomorrow night as from 22:00hrs as per the licence, he agreed to that.</p> <p>The staff member, manager, then pleaded with me to be allowed to stay open. I refused saying that I would be back later in the night to check. I then left the area with the police.</p> <p>I revisited at approx 04:00hrs to see the premises still open and customers waiting at the counter.</p> <p>There was now one SIA door staff present. there was no licence on display. I was shown a licence for number 270, but it was a different trading name, and was dated prior to the current licence.</p>	Verbal Warning & Licensing warning letter Dated 7 <sup>th</sup> May 2009	118621
3/5/9	One SIA only, not 2 as stated on license.	Verbal	118621

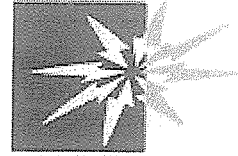
00:40		Warning & Licensing warning letter Dated 7 <sup>th</sup> May 2009	
30/5/9 02:30	No SIAs, and customers sitting and eating in premises.	Verbal Warning	118621
9/10/11 04:10	Open and serving after permitted times.	Licensing letter sent re Review	202032
16/10/11 04:10	Open and serving after permitted times.	Noted	202032

I am producing as a part of my evidence a copy of the report by Charles Buckle dated 10<sup>th</sup> February 2008 and also a letter dated 7<sup>th</sup> May 2009 relating to incidents on 2<sup>nd</sup> and 3<sup>rd</sup> May 2009.



**Enforcement Response**

Units 271-272, Lee Valley Technopark, Ashley Road, London N17 9LN  
Tel: 020 8489 1000  
Fax: 020 8489 5133  
www.haringey.gov.uk



Director of Urban Environment - Niall Bolger  
Assistant Director - Frontline Services – Beverley Taylor

**Haringey Council**

The licensee,  
Grill Kebab House  
270 Muswell Hill Broadway  
Hornsey  
London  
N10 2QR

Your ref: UE/ENF/WK/000118621  
WK/000118621

Date: 7th May 2009

Contact: Enforcement Response  
Team

Direct  
dial: 020 8489 1000

Email: enforcement.response  
@haringey.gov.uk

Dear Sir / Madam,

**Warning Letter: Licensing Act 2003**

Address: Grill Kebab House, 270 Muswell Hill Broadway, Hornsey,  
London, N10 2QR

It has been identified that the above premises on 2<sup>nd</sup> and 3<sup>rd</sup> May 2009 were being used for late night refreshment outside of the hours permitted, were not displaying a copy of the current licence, and did not have SIA approved doormen at the premises as required by the conditions of the licence.

The provision of late night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11pm and 5am or the supply of hot food or hot drink to any persons between those hours on or from premises to which the public has access.

You are warned that this practice must cease.

It is an offence under section 136 of the Licensing Act 2003 if a person

- (a) carries on, or attempts to, carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation or
- (a) he knowingly allows a licensable activity to be carried on.

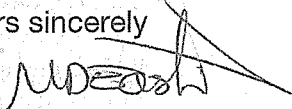
You should familiarise yourself with the activities permitted under the current License if you have one. Unauthorised use of the premises must cease immediately.

No further warnings will be issued. This Authority may seek to prosecute if future unauthorised activity is identified

It is in your own interest to ensure that you are complying with the licensing laws.

If any of the above is unclear or you require further clarification please contact the Licensing Lead Officer on 020 8489 8232.

Yours sincerely

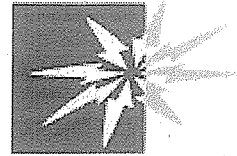


M Eastwood  
Enforcement Response Team



**Enforcement Response**

Units 271-272, Lee Valley Technopark, Ashley Road, London N17 9LN  
Tel: 020 8489 1000  
Fax: 020 8489 5133  
www.haringey.gov.uk



Director of Urban Environment - Niall Bolger  
Assistant Director - Frontline Services – Beverley Taylor

**Haringey Council**

Mr Hatem Koc,  
59 Hawkinge,  
Gloucester Road,  
Tottenham,  
London,  
N17 6LP.

Your ref: UE/ENF/WK/000118621  
WK/000118621

Date: 7th May 2009

Contact: Enforcement Response  
Team

Direct  
dial: 020 8489 1000

Email: enforcement.response -  
@haringey.gov.uk

Dear Sir,

**Warning Letter: Licensing Act 2003**

Address: 270 Muswell Hill Broadway, Hornsey, London, N10 2QR

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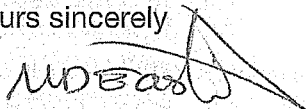
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Yours sincerely

A handwritten signature in black ink, appearing to read 'MDEastwood', written over a horizontal line.

Mark Eastwood  
Enforcement Response Team

Haringey Council – Enforcement Response		Noise Observation Record	
Date: <i>10/2/08</i>	Time Received: <i>02.20</i>	Complaint ref: WK <i>64206</i> Notice ref: WK Prosecution ref: WK	
Noise from	Address: <i>Tabla Bar &amp; Grill 270 Muswell Hill Broadway</i>	HfH O/Occ RSL	PSL Priv Rent Non-domestic
Type of Noise: Music / Voices / Party / Alarm / Dog / Banging / Extract vent / <u>Other</u>			
Complainant's Details		HfH	PSL
Name: <i>No-active</i>		O/Occ	Priv Rent
Address: .....		RSL	Non-domestic
Tel no: .....			
History Check (Complete this before visit)			
i) On Action List? Yes No NS 51 / WL / S 80 / S 60 / Prosecution / Caution / SWL and date			
ii) On potentially violent (PV) List? Yes No			
Instructions if on PV list: .....			
Telephone Calls to Complainant:		Time: .....	Result of Call: .....
		Time: .....	Result of Call: .....
		Time: .....	Result of Call: .....
Visit to Complainant / Area:		Arrival Time: <i>02:25</i>	Departure Time: .....
For Administration Use			
Occupier Name Check .....		Date: .....	
Source of Information:		Council Tax/NNDR	HfH OHMS RSL Other
If other or RSL specify source:		NS 21 (January 2008)	

*Sheet 1 of 2*

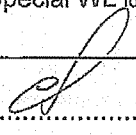
Observations

On Sat Sunday 10<sup>th</sup> 08 at 02:20 attended  
 Table Bar and Grill 270 Maxwell Hill Broadway.  
 Watch for 5 min. people entering and exiting  
 premises after ordering food. At 02:25 with PC  
 Roy France we entered the premises, at that point  
 there were about 5 people being or waiting to be served. We  
 sat at the rear of the premises by the serving counter, after  
 a few minutes one of the staff asked what we wanted. I  
 informed him who I was, and asked to speak to the person  
 in charge. When I was told as Mr. Mike Koc, who stated  
 his brother was the owner and he wasn't there. We went to  
 the rear of the premises to the office, I identified myself to  
 Mr. Koc, and informed him I was closing a licensed premises  
 Act. I asked to see his licence. He produced it. I  
 asked him if he could read the operating time schedule, he  
 said it was 0200, and he was just closing. I informed  
 him it was now 0230 and that I had observed him selling  
 after hours, which is an offence against his permitted hours.  
 I continued him 0231, advised him to close up, he said he  
 would. At 0300 I again returned to the premises and  
 saw Mr. Koc, and spoke to him again. I had seen him  
 operating, even though he said he was going to close, again.

- |   |                                  |                         |
|---|----------------------------------|-------------------------|
| DN01 No visit – noise stopped           | DN04 Nuisance confirmed reported | DN10 Licensing response |
| DN02 No visit – other                   | DN05 Nuisance confirmed abated   | DN11 Planning response  |
| DN03 No visit – out of remit            | DN06 Nuisance not established    |                         |
| DN12 No visit – call cancelled          | DN09 No officer on duty          |                         |
| DN13 No time to visit                   | DN07 Noise not on now response   |                         |
| DN14 No visit - no response complainant | DN08 Proactive completed         |                         |

Action Recommended: NS51 1<sup>st</sup> Advisory letter / EPA - WL / EPA S80 / CoPA letter / CoPA S60

ASBAT referral / Special WL following notice / Prosecution / Caution / None / Other (see above)  
 (circle)

Signed:  Name: Charles

Date: 10/2/07

Haringey Council – Enforcement Service		Noise Observation Record	
Date:	Time Received: <i>10/2/08</i>	Complaint ref: WK <i>64206</i> Notice ref: WK Prosecution ref: WK	
Noise from	Address: <i>To the Bal x Grill 270 Maxwell Hill Brookley</i>	HfH	PSL O/Occ Priv Rent RSL Non-domestic
Type of Noise: Music / Voices / Party / Alarm / Dog / Banging / Extract vent. / <u>Other</u>			
Complainant's Details		HfH	PSL
Name: .....		O/Occ	Priv Rent
Address: .....		RSL	Non-domestic
Tel no: .....			
History Check (Complete this before visit)			
i) On Action List? Yes No NS 51 / WL / S 80 / S 60 / Prosecution / Caution / SWL and date			
ii) On potentially violent (PV) List? Yes No			
Instructions if on PV list: .....			
Telephone Calls to Complainant: Time: ..... Result of Call: .....			
Time: ..... Result of Call: .....			
Time: ..... Result of Call: .....			
Visit to Complainant /Area: Arrival Time: ..... Departure Time: .....			
<u>For Administration Use</u>			
Occupier Name Check .....		Date: .....	
Source of Information: Council Tax/NNDR HfH OHMS RSL Other			
If other or RSL specify source:		NS 21 (August 2007)	

Observations

cautioned him. ODO3 He replied "You're already reported me so I may as well keep selling." I said "No! The consequences of your action are that you may lose your licence altogether." I advised him to close and we left.

- DN01 No visit – noise stopped
- DN02 No visit – other
- DN03 No visit – out of remit
- DN12 No visit – call cancelled
- DN13 No time to visit
- DN14 No visit - no response complainant
- DN04 Nuisance confirmed reported
- DN05 Nuisance confirmed abated
- DN06 Nuisance not established
- DN09 No officer on duty
- DN07 Noise not on now response
- DN08 Proactive completed
- DN10 Licensing response
- DN11 Planning response

Action Recommended: NS51 1<sup>st</sup> Advisory letter / EPA - WL / EPA S80 / CoPA letter / CoPA S60

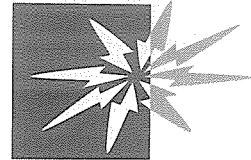
ASBAT referral / Special WL following notice / Prosecution / Caution / None / Other (see above)  
(circle)

Signed: *[Signature]* Name: *Chetler*

Date: *10/2/03*

# Notice of Application for the review of a Premises Licence

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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:

**GRILL KEBAB HOUSE  
270 MUSWELL HILL BROADWAY  
MUSWELL HILL  
LONDON N10 2QR**

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

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

- **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: 15<sup>th</sup> November 2011**

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

