
APPENDIX 1A – COPY OF CURRENT PREMISES LICENCE

PREMISES LICENCE

Receipt: AG869877

Premises Licence Number: LN/00006188

This Premises Licence has been issued by:

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

Signature:.....

Date: 18th February 2008
19th October 2012

Part 1 – PREMISES DETAILS

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

**IMPERIUM WINE BAR RESTAURANT
77 WEST GREEN ROAD
TOTTENHAM
LONDON
N15 5DA**

Telephone: 0208 809 7273

Where the Licence is time limited, the dates:

N/A

Licensable activities authorised by the Licence:

Regulated Entertainment (plays, recorded music)

Provision of Late Night Refreshment

Supply of Alcohol

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

Regulated Entertainment

Sunday to Thursday 1200 to 0100

Friday and Saturday 1200 to 0200

Provision of Late Night Refreshment

Sunday to Thursday 2300 to 0100

Friday and Saturday 2300 to 0200

Supply of Alcohol

Sunday to Thursday 1200 to 0030

Friday and Saturday 1200 to 0130

Non Standard Timings

Christmas Eve and New Years Eve 1200 to 0230

The opening hours of the premises:

Sunday to Thursday 1200 to 0100

Friday and Saturday 1200 to 0200

Non Standard Timings

Christmas Eve and New Years Eve 1200 to 0230

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

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

Part 2

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

David Adewale
3 Windmill Gardens
Enfield
London
EN2 7DZ

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:

David Adewale
3 Windmill Gardens
Enfield
London
EN2 7DZ

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 Number LN/200700528
Expires: 19th December 2017
London Borough of Enfield

Annex 1 –Mandatory Conditions

(1) 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.

(2) 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.

Additional Mandatory Conditions in relation to Supply of Alcohol

- 1.— (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of

Annex 1 –Mandatory Conditions

alcohol.

(2) 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 a holographic mark.

5. The responsible person shall ensure that–

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

(i) beer or cider: ½ pint;

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

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

(b) customers are made aware of the availability of these measures.

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

GENERAL

- **Staff training to take place in relation to Licensing Legislation**
- **Fire policy in place for the premises.**
- **Health and Safety Policy in place for the premises.**

THE PREVENTION OF CRIME AND DISORDER

- **SIA Registered door supervisor to be employed from 2300 when the premises is open beyond midnight.**
- **Zero tolerance drugs policy in place on the premises and staff training on how to notice relevant signs.**
- **Consultation and guidance with police crime prevention officer.**
- **Incident book to be maintained on the premises.**

PUBLIC SAFETY

- **Safety and Evacuation policy in place.**
- **Pre-opening safety checks in place and recorded prior to premises being open to the public.**
- **The number of people on the premises is monitored and kept in accordance with guidance given by Environmental Health Officers / Fire Officer.**

THE PREVENTION OF PUBLIC NUISANCE

- **Music is to be used for background purposes and only easy-listening music can be played to create a soothing atmosphere which does not intrude into the conversations of those using the restaurant and is inaudible in any neighbouring domestic premises.**
- **Doors to the premises to be closed from 2300.**
- **Notices at exits reminding customers to restrict their noise on leaving premises with consideration for neighbours and local business'.**
- **No food to be taken from premises.**
- **Refuse sealed in bags and put out at appropriate times for collection.**
- **No deliveries before 0800.**

THE PROTECTION OF CHILDREN

- **No activities to take place that will cause harm to children attending.**
- **Challenge 21 policy in place.**
- **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**

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

APPENDIX 1B – LICENSING OFFICER’S COMMENTS

MINUTES OF THE LICENSING SUB COMMITTEE B
THURSDAY, 25 JULY 2013

Councillors Beacham, Demirci (Chair) and Ejiofor

MINUTE	SUBJECT/DECISION	ACTION BY
PRCE75.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies were received from Cllr Brabazon for whom Cllr Ejiofor substituted.</p>	
PRCE76.	<p>DECLARATIONS OF INTEREST</p> <p>Cllr Ejiofor identified that he had eaten in the venue in question on a previous occasion as indeed he had in numerous other restaurants in the borough as a local resident.</p>	
PRCE77.	<p>SUMMARY OF PROCEDURE</p> <p>RESOLVED</p> <ul style="list-style-type: none"> • That the procedure be noted. 	
PRCE78.	<p>APPLICATION FOR A REVIEW OF A PREMISES LICENCE AT JM WINE BAR, 77 WEST GREEN ROAD, LONDON N15 5DA</p> <p>RESOLUTION</p> <p>The Committee carefully considered the application for a review brought by the Metropolitan Police Service (MPS), heard from the MPS representative and the Premises Licence Holder and carefully considered the Licensing Policy and s182 of the guidance.</p> <p>It was the Committee's decision to do the following:</p> <ol style="list-style-type: none"> 1. Remove the Designated Premises Supervisor (DPS) 2. Suspend the licence for a period of one calendar month 3. Modify the conditions of the licence <p>The Committee felt that these steps were necessary and proportionate to promote the licensing objective relating to crime and disorder for the following reasons;</p> <p>The Committee was saddened to hear evidence that Mr Adewale had delegated his responsibility as a DPS to Mr Nzuki who was not himself trained as a DPS. Furthermore, Mr Adewale had admitted to the Committee that after selling the business to Mr Nzuki, he was only present at the premises on some Fridays and Saturdays. These are clear breaches of his obligations as DPS as set out within his licence</p>	

MINUTES OF THE LICENSING SUB COMMITTEE B
THURSDAY, 25 JULY 2013

conditions.

The MPS representative referred to incidents where violent crimes had taken place on the premises but when the Police attended evidence that could have been of assistance to the Police was not preserved. There were other breaches of the licence but the ones referred to above are undoubtedly the most serious. Given all these circumstances, the Committee resolved to impose the following condition:

- That CCTV be installed and any footage retained for a period of 31 days and that the footage is made available to the Police and local authority on request within 48 hours of the request being made. In addition facilities should be provided for viewing the footage when requested. If the CCTV equipment is not installed and working to the satisfaction of the Police and Licensing authority then within 48 hours the Police and Licensing authority shall be notified and an estimate provided of the timescale for repair. For the avoidance of doubt, the Premises Licence Holder will comply with all reasonable requests from the Police and should comply with all conditions set out in his licence.

The Committee carefully considered whether to revoke the licence in light of the findings of the Metropolitan Police and the evidence of a failure to manage the premises adequately, however the Committee felt that it was appropriate on this occasion to give the licence holder an opportunity to remedy the many concerns thus far.

Please note that this decision is stayed from coming into effect for 21 days after the date of the decision pending any appeal on the decision made and the determination of that appeal.

CLLR ALI DEMIRCI

Chair

APPENDIX 2 –SECTION 182 GUIDANCE

- 11.22 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.23 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.24 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.25 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.26 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.27 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.

11.28 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.

11.29 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;

APPENDIX 3 –THE PROVENTION OF CRIME AND DISORDER POLICY STATEMENT

Operating Schedule

The operating schedule is part of the application for a premises licence and should contain information so that others can assess whether the steps a business intends to take will satisfy the licensing objectives. As such it is asking the applicant how their business will be run. This is an 'assessment of the risks' by the applicant and what control measures or actions are proposed to stop this risk. This must be specific to the premises and activities detailed in the application and not general in nature.

The operating schedule must include and consider:

- what activities are planned at the premises;
- the times during which the applicant proposes that the activities are to take place;
- any other times during which the applicant proposes that the premises are to be open to the public;
- where the applicant wishes the licence to have effect for a limited period, that period must be detailed;
- details of the Designated Premises Supervisor and a copy of the personal licence;
- If the activities include sale of alcohol, whether such sales are proposed to be for the consumption on the premises or off the premises, or both;
- the steps which the applicant proposes to take to promote each of the licensing objectives - See guidance below

(further items may be required from time to time if the Government so directs)

The Operating Schedule and the Licensing Objectives

Operating Schedules must clearly satisfy the four licensing objectives. This is considered in more detail below with each of the objectives in turn.

1. The prevention of crime and disorder

Licensees have the responsibility to take steps to prevent crime and disorder. The Council will expect applicants to consider various steps and provisions in their Operating Schedule to help in achieving this objective. Such considerations should not only look at issues within the premises, but also matters related to the vicinity of the premises. Listed below are provisions that may be used if applicable.

The record of compliance with respect to the items contained in this section will be considered by the Licensing Sub Committee.

Applicants are expected to demonstrate how these will assist in their premises:

- Registered door supervisors – How they will be used in the premises, what they will be asked to do and what they are seeking to achieve. (NB Door Supervisors must be licensed by the Security Industry Authority) ;
- Use of CCTV - How CCTV will be used and monitored to help prevent crime and disorder;
- The use of responsible drinking promotions - what will and will not be used by the premises to promote custom ;
- Stopping the sale of alcohol to those under 18 years of age- how will the business achieve this. (Of equal concern for both on licences and off licences)
- Promoting of safer drinking (including the use of drink when driving) - what will the business specifically do, policy, practices, how may they assist customers to achieve this;
- Have effective protocols in place to deal with intoxicated patrons and/or persons under the influence of illegal drugs and the supply of illegal drugs. The issue of spiking drinks should also be considered. (This may include for example, co-ordination and participation in a local pubwatch scheme);
- Adequate search facilities - how this will operate;
- Methods to discourage drinking of alcohol (supplied for consumption on the premises) in a public place in the vicinity of the premises;
- Procedures to deal with violence and/or anti-social behaviour including any crime which discriminates against any sectors of the community;
- X • Methods to discourage the handling and distribution of stolen, counterfeit or other illegal goods;
- Addressing prostitution or indecency at the premises;
- Ensuring adequate training given to staff in crime prevention measures
- Procedures for risk assessing promotions and events where the event is likely to attract customers that may heighten the possibility of violence and/or disorder and include plans to minimise such risks.
- Utilising good practices outlined in the British Beer & Pub Association publication- Drugs and Pubs: A Guide for Licensees.

2. Public safety

Licensees have the responsibility to take steps towards protecting public safety. The council will expect applicants to consider various steps and provisions in their Operating Schedule to help in achieving this objective. Listed below are provisions that may be used if applicable. Applicants are expected to demonstrate how these will assist in their premises: