

This briefing provides the Regulatory Committee with information on the decisions taken in respect of premises license applications. The information included within the report provides an overview in respect of the full range of premises licensing where the majority of the applications relate to alcohol licensed premises.

The Licensing Committee are asked to note the content of this briefing.

Haringey Licensing service is kept busy by providing a key role for businesses that requires licences in order to operate legitimately. Licensing premises provide a key role as employer, in regeneration and in attracting people to the borough. The efficient processing of applications as well as effective mediation and decision making in respect of them is essential in enabling businesses to thrive and contribute to the economy of the borough. The Licensing process provides for local residents and other parties to make representations in relation to licensing applications. These representations have to be directly related to the four licensing objectives

The Licensing Team is responsible for the administration of license applications submitted in respect of the Licensing act 2003 and the Gambling Act 2005.

Where a representation is made and not withdrawn against a licensing application under either of these Acts, Members are aware that it must be considered by the Licensing Sub Committee, which acts under delegated authority from the main Licensing /regulatory Committee. If agreement is reached between the applicant for the license and those persons who have made representations, the matter is passed to the Sub Committee for determination in order to formalise the agreement. Where there is not full agreement, the application is decided by the Sub Committee following a public hearing.

When no representations are made against an application, legislation states the application must be granted as applied for and authority to do this is delegated to officers.

This briefing provides Members of the Regulatory Committee with information on all applications considered not only by the different Licensing Sub Committee but also those granted under delegated authority by the officer.

The Licensing team have dealt with a total of 79 applications since January 2014.

Licensing Act 2003

The Licensing Act 2003 covers premises providing the following licensable activities:

The sale or supply of alcohol

The provision of regulated entertainment

The provision of late night refreshment

New Premises License

From January to October 2014, the Licensing Authority determined a total of 62 new premises licenses applications. Two were withdrawn by the applicant. Eight were determined by the LSC. 26 licences were granted by way of determination as agreement reached between all parties following mediation. No appeals were made in respect of any of the above decisions.

Table 1 – New Premises Licences

TOTAL APPLICATIONS	62
Granted due to no representation	28
Granted by LSC Decision	8
Mediated by Officer	26
Refused by LSC Decision	0
Decisions Appealed	0

Premises Licence Variations

A total of 23 for variation of licensable activities of premises licences were received during this time. The table shows both full variations under s34 of the Act and Minor Variations under s41a.

There were 15 full variations, two of which were withdrawn by the applicants. Five Of these went to the LCS for determination, One was refused outright whilst the others were modified by the LSC.

We received three Minor Variations which were granted at officer level as it was considered that the variation proposed could not adversely impact upon the licensing objectives.

Table 2 Premises Licence Variation

Total applications	20
Granted as requested	11
Granted by LSC	5

Refused by LSC	1
Decision appealed	0
Minor Variations granted	3
Minor Variations refused	0

Premises License Transfers

A total of 58 applications were received to transfer premises licences. All 58 were granted under delegated authority as no objections were received from the Police.

Variation of Designated Premises supervisor

A total of 112 applications have been received to vary a premises license to specify an individual as designated premises supervisor. All have been granted by officers under delegated authority.

Premises License Reviews

The LSC started off the year with dealing with a Summary Review, which is a fast track process under section 53A of the Licensing Act 2003 to review a premises license where the police consider that the premises are associated with serious crime or serious disorder or both. On receipt of such an application the Licensing authority must within 48 hours consider whether it is necessary to take interim steps pending determination of the review. The review hearing must be held within 28 days of receipt of the application.

The Summary Review was in respect of Club 56 Muswell Hill London N10

Club 56 /Eden Venue Muswell Hill London N10	
Applicant for Review	Met Police
Review Type	Summary Review
Interim Steps Taken by LSC:	Suspension of License
Outcome of full Review	License Revoked

No appeal was lodged by the license holder against this decision.

There were other reviews of premises licences under section 51 of the Licensing Act.

Chocolate Box – Grocers- Lordship Lane N17	
Applicant for Review	Trading Standards due to illicit alcohol
Review Type	S51 Review
Outcome	Removal of DPS and additional conditions.
Edge Nightclub -117 Bruce Grove Tottenham N17	
Applicant for review	Met Police due to failure to uphold license conditions.
Review Type	S51 Review
Outcome of review	Revocation of License.
	This matter is now subject of an appeal to be heard in November 2014
Ora Cafe Bar 581 Green Lanes London N8	
Applicant for Review	Police – due to failure to uphold licensing conditions and public disorder
Review type	S51 Review
Outcome of Review	Conditions added to license.
Jolly Anglers 33 Station Road London N22	
Applicant for Review	Police- failure to manage the premises in an orderly fashion and numerous crowd disorder issues.
Review type	S51
Outcome of review	Conditions added to the license.

Temporary Event Notices

A standard temporary event notice must be submitted no later than ten working days before the event period begins, a lte TENs can be submitted no later than five working days, but no earlier than nine working days, before the date the event period begins.

Since January 2015 a total of 475 TENS were submitted, of these 107 were late TENs. Objections were submitted by the Police against 158 of the standard TENs. The Enforcement response Team also submitted objections to 188 of these

applications.

Due to the applicants accepting the proposed conditions offered the Police or EHO these matters were conditioned on the TENS without the need for a hearing.

There were 107 Late TENSs submitted, 6 of these received objections from the Police and as there are no provisions for a hearing when an objection is made against a Late TENSs, the events were not able to take place.

Table 3 Temporary Event Notices

	Standards TENSs	Late TENSs	Totals
Total Notices received	368	107	475
Notice withdrawn by applicant			
TEN modified	188		
TENSs refused	2	6	
Cancelled by applicant	13		

A total of 475 TENSs were acknowledged by the Licensing Team on behalf of the Licensing Authority.

Personal Licences

Since the start of this year we have received 294 applications for Personal licenses, only 1 has been rejected due to the unspent convictions of the applicant
Gambling Act 2005

The Gambling Act 2005 came into force in September 2007, It introduced a new system of licensing and regulation for commercial gambling which gave licensing authorities new and extended responsibilities for licensing premises for gambling.

Premises Licences

Premises licences granted by the Licensing authority may authorise the provisions of facilities for gambling on:

- Betting premises
- Casino premises
- Adult gaming centre
- Family entertainment centres

- Casino premises.

New Premises Licences

Two new applications were received for betting shops, Bet Fred applied to open a new premises in high Road N17, this application received a representation from a local resident that was a borderline valid representation. A hearing was held and the license subsequently granted by the LSC.

A second application was received in March from Paddy Power and received a number of letters of representation against it. The LSC determined to refuse the application and this is now subject to an appeal that will now heard in November. Taking into consideration recent similar appeals in other local authorities we are aware that such cases have been granted by the Magistrates on appeal, Waltham Forrest recently had cost awarded against them in the sum of £40,000.

Premises Licence Variations

There was one application to vary a premises licence under the Gambling Act 2005 during this quarter. William Hill applied to vary an existing premises to add toilets to the premises, this was granted under delegated authority by the licensing officer as no representations were received.

Permits / Notifications / Small Society Lotteries

The 2005 Act introduced a range of permits for gambling that are granted by licensing authorities. Permits are required when premises provide a gambling facility but either the stakes or prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises.

Holders of alcohol-licensed premises gaming machine permits and club permits are required to comply with codes of practice, drawn up by the Commission, on the location and operation of machines.

The following are the various permits that the licensing authority is responsible for issuing:

- Part 24 – family entertainment centre gaming machine permits
- Part 25 – club gaming permits and club machine permits
- Part 26 – alcohol-licensed premises gaming machine permits

- Part 27 – prize gaming permits

It is only possible to grant or reject an application for a permit as no conditions may be attached to a permit.

No applications for an Alcohol Licensed Premises Gaming Machine Permit were received during this year.

Licensing authorities are also responsible for receiving, from holders of alcohol-licensed premises (under the 2003 Act), notifications that they intend to exercise their automatic entitlement to two gaming machines in their premises under section 282 of the Act. Such applications are made to the authority upon the expiry of the 3-yearly permit issued under the previous licensing regime.

We received nine notifications under section 282 were received and these have been acknowledged by the Licensing team.

The Gambling Act 2005 requires the local authority to register non-commercial societies who wish to conduct fund-raising lotteries. It is possible to refuse a registration based on certain criteria as defined in the Act. One example is if the Authority is not satisfied the society in question cannot be deemed non commercial.

Table 4 Permits and notification GA2005

PERMIT TYPE	
Alcohol Licensed Premises Gaming Machine Permit (more than 2 machines) (new permit)	0
Alcohol Licensed Premises Gaming Machine Permit (more than 2 machines) (variation to existing permit)	0
Alcohol Licensed Premises Gaming Machine Notification (1 or 2 machines)	9
Club Machine Permits	1
Club Gaming Permits	0
Family Entertainment Centre Gaming	0

Machine Permits	
Small Society Lottery Registration	2
Transfer of Licensed Premises Gaming Machine Permit	0

Other licences issued by the Licensing Service

PERMIT LICENSE/TYPE	TOTAL GRANTED
Street Trading –Temporary licences	104
Street Trading – Renewal Temporary licences	12
Street trading renewals - traditional	11
Street Trading –new shop front displays	1
Street Trading –Renewals shop front displays	5
Street trading – new tables and Chairs	12
Street trading – renewal tables and chairs	7
Massage and Special Treatment (New)	17
Massage and Special Treatment (Renewals)	88
Therapist registrations	70
Fireworks	31
Scrap metal dealers	36
Pet Shop Licences	2
Animal boarding establishments	1