

- Grant the application as requested
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates
- Reject the whole or part of the application

Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

## 2 Background

- 2.1 The premise was initially granted a licence for alcohol sales only with meals in August 2014, Medina Basirika took over the licence in June 2015. The premises has a history of non compliance in the past and first came to attention of officers through complaints received from residents in 2014 relating to noise in the early hours of the morning from the venue. The premises also has Planning permission that only permits it to open until 23.00pm, this was to ensure that residents were not adversely affected by the operation of the venue when it was granted permission to operate as a take away/restaurant in 2013. There was a previous variation application in December 2015 seeking an increase in the hours to sell alcohol and an increase in opening hours as well as the addition of regulated entertainment and late night refreshment. The application was granted in part but the LSC heard evidence of non compliance with licensing hours by Ms Basirika that had led to nuisance complaints at the time. The Licensing sub committee resolution is attached as Appendix D.
- 2.2 During the consultation period letters of representation were received from residents who have previously been affected by the operation of the premises. Representation was also received from the Metropolitan Police and the Licensing Authority against any increase of the hours or the ability to now add regulated entertainment to the licence. There is potential for the additional hours to give rise to noise nuisance to nearby residents.
- 2.3 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.
- 2.4 The Licensing Authority considers that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so. The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not impact on the licensing objectives, given the potential for neighbouring premises to be adversely impacted.

## 3 Licensing Policy

The committee will also wish to be aware of the guidance issued under section 182 of the Licensing Act 2003. Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions are focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for

licensable activities and the vicinity of those premises and places.

The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. It is the Licensing Authority's wish to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.

In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.

Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place.

This Licensing Authority in determining what action to take will seek to establish the cause of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be appropriate and proportionate.

### 3.1 Licensing hours

Where relevant representations are made, the Council will consider the proposed hours on their individual merits. Notwithstanding this, the Council may require stricter conditions in areas that have denser residential accommodation to prevent public nuisance. The Council will endeavour to work with all parties concerned in such instances to ensure that adequate conditions are in place. The Council may restrict the hours that certain premises can offer alcohol for sale for consumption off the premises for preventing crime, disorder and nuisance.

### 3.2 Powers of a Licensing Authority

3.3 The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

## 4. Other considerations

Section 17 of the Crime and Disorder Act 1998 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area".

### 4.1 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

5 Use of Appendices

Appendix A - Variation Application

Appendix B - Representations from Other parties

Appendix C- Representation from Police and Licensing Authority and Enforcement.

Appendix D- Previous variation resolution.

Appendix E- Copy of current Premises Licence

Background papers: Section 82 Guidance  
Haringey Statement of Licensing policy

**Appendix A- Variation Application**

WK/384117



Haringey  
Application to vary a premises licence  
Licensing Act 2003

HARINGEY COUNCIL  
LICENSING  
RECEIVED

31 MAY 2017

For help contact  
licensing@haringey.gov.uk  
Telephone: 020 8489 8232

\* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.  
Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

\* First name   
\* Family name   
\* E-mail   
Main telephone number  include country code.  
Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Is the applicant's business registered outside the UK?  Yes  No

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Applicant Business Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

is your business registered outside the UK?  Yes  No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable  
value of premises (£)

11,000

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#### VARIATION

Do you want the proposed  
variation to have effect as  
soon as possible?

Yes

No

Do you want the proposed variation to have effect in relation to the  
introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.

If your proposed variation  
would mean that 5,000 or  
more people are expected to  
attend the premises at any  
one time, state the number  
expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

THE PREMISES IS A RESTAURANT LOCATED ON THE GROUND FLOOR WITH A RESIDENTIAL FLAT ABOVE IN A TERRACED BLOCK OF SIMILAR PREMISES.

DETAILS OF THE PROPOSED VARIATION ARE:

- 1) TO ADD THE PLAYING OF RECORDED MUSIC FROM 12.00 TO 01.00 MONDAY TO THURSDAY AND FROM 12.00 TO 01.30 FRIDAY, SATURDAY & SUNDAY.
- 2) TO EXTEND THE PERMITTED HOURS FOR THE PROVISION OF LATE NIGHT REFRESHMENT AND SALES OF ALCOHOL FOR CONSUMPTION ON THE PREMISES TO BE UNTIL 01.00 MONDAY TO THURSDAY & UNTIL 01.30 FRIDAY, SATURDAY & SUNDAY.
- 3) TO REMOVE CERTAIN OF THE EXISTING CONDITIONS AND ADD THOSE OFFERED AT PART M OF THE APPLICATION.
- 4) TO ALLOW A NUMBER OF NON STANDARD TIMINGS.

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#### PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

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#### PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes

No



Continued from previous page...

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**PROVISION OF INDOOR SPORTING EVENTS**

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes                       No

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**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes                       No

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**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes                       No

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**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes                       No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
Start  End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

PLAYING OF CD'S, BACKING TRACKS & DJ'S.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ON CHRISTMAS EVE, NEW YEARS EVE, BOXING DAY, BANK HOLIDAY SUNDAYS & VALENTINES DAY PERMITTED HOURS TO BE EXTENDED UNTIL 02.00 PLUS 30 MINUTES CONSUMPTION PERIOD.

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PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes       No

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Continued from previous page...

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes  No

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**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes  No

**Standard Days And Timings**

**MONDAY**

Start 23:00

End

Start

End 01:00

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

**TUESDAY**

Start 23:00

End

Start

End 01:00

**WEDNESDAY**

Start 23:00

End

Start

End 01:00

**THURSDAY**

Start 23:00

End

Start

End 01:00

**FRIDAY**

Start 23:00

End

Start

End 01:30

**SATURDAY**

Start 23:00

End

Start

End 01:30

**SUNDAY**

Start 23:00

End

Start

End 01:30

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors                       Outdoors                       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ON CHRISTMAS EVE, NEW YEARS EVE, BOXING DAY, BANK HOLIDAY SUNDAYS & VALENTINES DAY PERMITTED HOURS TO BE EXTENDED UNTIL 02.00 PLUS 30 MINUTES CONSUMPTION PERIOD.

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**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the sale of alcohol be for consumption?

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ON CHRISTMAS EVE, NEW YEARS EVE, BOXING DAY, BANK HOLIDAY SUNDAYS & VALENTINES DAY PERMITTED HOURS TO BE EXTENDED UNTIL 02.00 PLUS 30 MINUTES CONSUMPTION PERIOD.

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

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#### HOURS PREMISES ARE OPEN TO THE PUBLIC

##### Standard Days And Timings

###### MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

###### TUESDAY

Start

End

Start

End

###### WEDNESDAY

Start

End

Start

End

###### THURSDAY

Start

End

Start

End

###### FRIDAY

Start

End

Start

End

###### SATURDAY

Start

End

Start

End

###### SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

NONE

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ON CHRISTMAS EVE, NEW YEARS EVE, BOXING DAY, BANK HOLIDAY SUNDAYS & VALENTINES DAY PERMITTED HOURS TO BE EXTENDED UNTIL 02.00 PLUS 30 MINUTES CONSUMPTION PERIOD.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

**ANNEXE 2**

- 1) NO SALE OR SUPPLY OF HOT FOOD OR DRINK WILL BE PERMITTED AFTER 23.00
- 2) NO CUSTOMERS ARE PERMITTED ENTRY AFTER 23.00.
- 3) THE LICENCEE WILL COOPERATE WITH THE POLICE WHEN REQUIRED.
- 4) CLEAR AND LEGIBLE SIGNAGE WILL BE DISPLAYED. ALL OTHER EXISTING CONDITIONS REFERRING TO NOTICES TO BE REMOVED.
- 5) EXISTING PUBLIC SAFETY CONDITIONS TO BE REMOVED.
- 6) WHEN PEOPLE QUEUE TO ENTER THE PREMISES A LICENSED DOOR SUPERVISOR SHALL SUPERVISE AND ENSURE THE POTENTIAL PATRONS BEHAVE IN AN ACCEPTABLE MANNER.
- 7) ALL EXISTING CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM.

SEE PART M OPERATING SCHEDULE FOR AMENDED / REPLACEMENT CONDITIONS.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

OUR CLIENT WILL SEND OR TAKE THE PREMISES LICENCE TO THE COUNCIL DIRECTLY.

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**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

WE WILL OPERATE OUR BUSINESS IN A RESPONSIBLE MANNER AND ACTIVELY PROMOTE THE LICENSING OBJECTIVES AT ALL TIMES.  
THE BUSINESS WILL OPERATE STRICTLY AS A RESTAURANT WHERE THE SALE OF ALCOHOL IS ANCILLARY TO FOOD AND CUSTOMERS MUST BE SEATED TAKING A SUBSTANTIAL MEAL WITH ALL SERVICE BY WAITING STAFF ONLY. CUSTOMERS TAKING OR INTENDING TO TAKE A TABLE MEAL SHALL BE PERMITTED TO ENJOY A DRINK BEFORE DURING OR AFTER THEIR MEAL.

*Continued from previous page...*

**b) The prevention of crime and disorder**

- 1) THE BUSINESS WILL OPERATE STRICTLY AS A RESTAURANT WHERE THE SALE OF ALCOHOL IS ANCILLARY TO FOOD AND CUSTOMERS MUST BE SEATED TAKING A SUBSTANTIAL MEAL WITH ALL SERVICE BY WAITING STAFF ONLY. CUSTOMERS TAKING OR INTENDING TO TAKE A TABLE MEAL SHALL BE PERMITTED TO ENJOY A DRINK BEFORE DURING OR AFTER THEIR MEAL.
- 2) THE PREMISES LICENCE HOLDER OR DPS MUST CHECK ON A DAILY BASIS THAT THE CCTV SYSTEM IS OPERATING CORRECTLY AND ALSO CHECK ON A MINIMUM OF A WEEKLY BASIS THAT IT IS CORRECTLY RECORDING AND STORING IMAGES FOR THE MINIMUM 31 DAY PERIOD. DETAILS OF THE CHECKS AND RESULTS ARE TO BE RECORDED IN THE CCTV SECTION OF THE INCIDENT BOOK.
- 3) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE) ADVISING CUSTOMERS:
  - A) THAT CCTV & CHALLENGE 25 ARE IN OPERATION;
  - B) ADVISING CUSTOMERS OF THE PROVISIONS OF THE LICENSING ACT REGARDING UNDERAGE & PROXY SALES;
  - C) OF THE PERMITTED HOURS FOR THE SALE OF ALCOHOL & THE OPENING TIMES OF THE PREMISES;
  - D) TO RESPECT RESIDENTS & LEAVE QUIETLY AND NOT TO LOITER OUTSIDE THE SHOP;
  - E) TO DISPOSE OF LITTER LEGALLY;
  - F) NOT TO DRINK ALCOHOL IN THE STREET AT ANY TIME AS THEY ARE IN AN AREA SUBJECT TO A DPPO / PSPO.
- 4) ALL STAFF WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING AT REGULAR INTERVALS OF SIX MONTHS THEREAFTER. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE, MAKING AND RECORDING A REFUSAL, PROXY SALES, PREVENTING SALES TO DRUNKEN PERSONS, AVOIDING CONFLICT AND RESPONSIBLE ALCOHOL RETAILING.
- 5) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED OFFICERS ON REQUEST.
- 6) THE CHALLENGE 25 PROOF OF AGE POLICY WILL BE OPERATED AND ONLY A PHOTOGRAPHIC DRIVING LICENCE, A VALID PASSPORT, HM FORCES PHOTOGRAPHIC IDENTITY DOCUMENT OR PROOF OF AGE CARD WITH THE BEARER'S PHOTOGRAPH & THE PASS LOGO/HOLOGRAM ON IT WILL BE ACCEPTED AS PROOF OF AGE.
- 7) A WRITTEN REFUSALS RECORD WILL BE KEPT AS PART OF THE INCIDENT BOOK AND MADE AVAILABLE TO POLICE OR AUTHORISED OFFICERS ON REQUEST
- 8) THE PREMISES WILL ACTIVELY ENGAGE WITH AND WORK WITH THE LOCAL POLICE TEAM AND POLICE & COUNCIL LICENSING TEAMS.

ALL OTHER CONDITIONS ON THE CURRENT PREMISES LICENCE TO REMAIN IN FORCE.

**c) Public safety**

A FIRE RISK ASSESSMENT AND EMERGENCY PLAN WILL BE PREPARED & REGULARLY REVIEWED. STAFF WILL BE GIVEN APPROPRIATE FIRE SAFETY TRAINING.

ALL OTHER CONDITIONS ON THE CURRENT PREMISES LICENCE TO REMAIN IN FORCE.

**d) The prevention of public nuisance**

- 1) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE AS APPROPRIATE- SEE SECTION B -RELEVANT CONDITION FOR FULL DETAILS.
- 2) MANAGEMENT AND STAFF WILL PROACTIVELY DISCOURAGE PERSONS FROM LOITERING OR DRINKING OUTSIDE THE SHOP.
- 3) NO CUSTOMERS SHALL BE PERMITTED TO USE THE REAR AREA OF THE PREMISES EXCEPT TO USE THE TOILETS.  
ALL OTHER CONDITIONS ON THE CURRENT PREMISES LICENCE TO REMAIN IN FORCE.
- 4) A NOISE LIMITER WILL BE INSTALLED THROUGH WHICH ALL AMPLIFIED MUSIC MUST BE PLAYED. THE NOISE LIMITER MUST BE SET IN CONJUNCTION WITH THE COUNCIL'S ENVIRONMENTAL HEALTH / ENVIRONMENTAL PROTECTION OFFICER. MANAGEMENT WILL ENSURE THAT ALL ENTERTAINERS ARE INSTRUCTED TO PLAY AMPLIFIED MUSIC THROUGH THE NOISE LIMITER ONLY.
- 5) DOORS AND WINDOWS SHALL BE KEPT CLOSED AT ALL TIMES WHEN MUSIC IS BEING PLAYED EXCEPT FOR THE ENTRY OR EXIT OF CUSTOMERS.  
ALL OTHER CONDITIONS ON THE CURRENT PREMISES LICENCE TO REMAIN IN FORCE.



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e) The protection of children from harm

- 1) THE CHALLENGE 25 PROOF OF AGE POLICY WILL BE OPERATED AND ONLY A PHOTOGRAPHIC DRIVING LICENCE, A VALID PASSPORT, HM FORCES PHOTOGRAPHIC IDENTITY DOCUMENT OR PROOF OF AGE CARD WITH THE BEARER'S PHOTOGRAPH & THE PASS LOGO/HOLOGRAM ON IT WILL BE ACCEPTED AS PROOF OF AGE.
  - 2) A WRITTEN REFUSALS RECORD WILL BE KEPT AS PART OF THE INCIDENT BOOK AND MADE AVAILABLE TO POLICE OR AUTHORISED OFFICERS ON REQUEST.
  - 3) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE AS APPROPRIATE- SEE SECTION B RELEVANT CONDITION FOR FULL DETAILS.
  - 4) ALL STAFF WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING AT REGULAR INTERVALS OF SIX MONTHS THEREAFTER. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE, MAKING AND RECORDING A REFUSAL, PROXY SALES, PREVENTING SALES TO DRUNKEN PERSONS, AVOIDING CONFLICT AND RESPONSIBLE ALCOHOL RETAILING.
  - 5) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED OFFICERS ON REQUEST.
  - 6) A TILL PROMPT WILL BE DISPLAYED BY THE TILL TO REMIND STAFF TO OPERATE CHALLENGE 25 AND CHALLENGE PERSONS APPEARING TO BE UNDER 25 ATTEMPTING TO BUY ALCOHOL.
  - 7) ALCOHOL MAY NEVER BE SUPPLIED TO A YOUNG PERSON UNDER 18 AT ANY TIME NOR MAY THEY BE PERMITTED TO CONSUME ALCOHOL AT ANY TIME WHILE IN THE PREMISES.
  - 8) NO UNACCOMPANIED CHILDREN UNDER 16 SHALL BE PERMITTED TO BE ON THE PREMISES AFTER 19.00.
  - 9) NO CHILDREN UNDER 16 SHALL BE PERMITTED TO BE ON THE PREMISES AFTER 21.00 ANY NIGHT.
- ALL OTHER CONDITIONS ON THE CURRENT PREMISES LICENCE TO REMAIN IN FORCE.

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**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00

Continued from previous page...

Capacity 90000 and over £64,000.00

The following credit or debit cards are accepted in Haringey:

Maestro - Mastercard Debit - Mastercard Credit - Solo - Visa Credit - Visa Debit (formerly Delta) and Visa Electron

We cannot accept liability if payment is refused or declined by the card supplier.

Due to end of day processing, this service will not be available between 10pm and 11pm every weekday evening (Mon- Fri).

Users should note that any payments in process after the 10pm deadline need to be completed by 10.05pm

\* Fee amount (£)

190.00

#### DECLARATION

\* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

GRAHAM HOPKINS

\* Capacity

AUTHORISED LICENSING CONSULTANTS

\* Date

31 / 05 / 2017  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/haringey/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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**

**OFFICE USE ONLY**

Applicant reference number	GT/MEDINE BASIRIKA/1/2017
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 Next >

**Appendix B- Representations from other parties**

**From:**

**Sent:** 19 June 2017 15:48

**To:** Licensing

**Subject:** Representation for: The Village, 118A West Green Road, N15 5AA

**Representation on licence application (variation) at:**

The Village  
118A West Green Road  
London  
N15 5AA

I would like to state that I represented the residents at a previous hearing for this premises (Dec 2015), where the panel applied opening hours/activity licence conditions. Unfortunately, the premises has not adhered to the ruling and people can be seen and heard coming and going at night to 4/5.00am. The frontage was modified over a year ago, and it's impossible to see if there is activity inside at any time of day. I reported a breach of their licence conditions on 9 January 2017, whereby myself and a workman witnessed people entering/leaving and the 'club' in full swing at 5.00am the previous day.

**The prevention of crime and disorder/public nuisance**

The West Green Road has been a 'sensitive' area for many years and the Council's efforts since the riots (more cameras, upgrading shop fronts, communal garden, etc) have had a positive impact on the local community here. However, there are still regular occurrences of violence and abusive behaviour, and gatherings on the street, particularly at night/early hours of the morning.

As an example, When the Fountain pub (1.30/2.00am on Fridays/Saturdays) closes, a stream of people can be heard shouting, singing and sometimes fighting, cars revving their engines hard, racing, urinating and vomiting. If an additional premises were allowed to open late nearby, it would simply act as another focal point for all these type of people to go to.

This part of West Green Road has residential accommodation and also above shops/takeaways. Nearly all the shops operate between normal hours. A club operating all day to 1.30/2.00am would generate disturbing and intrusive levels of noise from music,

talking/shouting, people traffic (coming and going), noise of cars parking/leaving all night/morning.

The area is improving slowly, the new flats at Lawrence Square (25 metres away) brought 1800 new residents and their families, this is the kind of neighbourhood I want to live in, not one dominated by a club offering loud music and alcohol until 2 in the morning. It would be a big step backwards and undo the Council's good work here.

**Public safety**

During the day and night, the presence of customers standing on the street, smoking and intoxicated will cause people to avoid the vicinity, especially mothers with children and the elderly. There are a lot of obviously heavy drinkers in the area and encouraging these people is again a complete step backwards and compromises public safety. The increase in traffic will also put safety at risk in an already busy area.

**Protection of children from harm**

The area is becoming a better place for children to grow up in, the idea of having a club selling alcohol, purveying loud/club music and resultant anti-social behaviour on their doorstep, next to their homes, where they walk to and from school, does not create a good and safe environment for children.

I,....., hereby declare that all information I have submitted is true and correct.

Signed:

Date: .... 19.6.17

## **Anderson Chanel**

---

**From:**  
**Sent:** 29 June 2017 22:22  
**To:** Licensing  
**Subject:** The Village, 118A West Green Road, N15 5AA

To whom it may concern

My apologies for sending this one day past the cutoff, I just returned home from holiday.

I wish to raise some objections to the extension of music and alcohol license for this property. Whilst I want to support development in the local area, we do suffer from noise at weekends, loitering on the street, severe littering and anti-social behaviour. We are expecting a new baby in the coming 3 months and want to provide the quietest and safest environment for our child hence my concerns surrounding this proposal.

Many thanks

Kindest Regards

## **Anderson Chanel**

---

**From:** \_\_\_\_\_  
**Sent:** 01 July 2017 07:47  
**To:** Licensing  
**Subject:** Objection to Licensing Application

Hi,

I wish to strongly object to the granting of an alcohol license being provided to 'The Village' on West Green Road (118A West Green Road, Tottenham, London, N15 5AA).

I also wish to object to the long opening hours beyond 11pm.

My name and address:

\_\_\_\_\_

\_\_\_\_\_

The reason I wish to strongly object:

### **The Prevention of Public Nuisance:**

West Green Road is a residential road, with tightly packed house backing off to it to the north and south as it runs east/west. As a result, the noise caused by any additional applications being granted for late licenses and alcohol will only further cause local residents to be disturbed.

Frequently, many people can be found drinking in the street or drunk in the street in large numbers late at night. This makes the street noisy and intimidating.

Providing a late license, especially one that allows for loud music and for alcohol to be served will only further exacerbate this problem.

### **The Prevention of Crime and Disorder**

This area of the borough has been slowly improving and has been feeling gradually more safe. There is a hope among residents that these slow and modest improvements will continue over time. Encouraging alcohol being consumed on this residential street late into the night/early morning is not going to help towards improving the safety of the area. Residents should not have to walk out of their front doors to shouting, bickering sometimes physical fighting, which I have personally witnessed.

### **General**

West Green Road has a lot of potential to become a nicer street, with a more savoury character. Right now, it is often filthy, at times intimidating with a lot of people hanging around drinking outside premises late into the night. Providing late licenses and making the street even more noise polluted for local residents is not going to further improve West Green Road. It will also very much hamper local residents' ability to enjoy the area, which I'm glad to say has been slowly becoming a nicer and safer place to live.

Regards,



The Village Nr  
**NO! NO! NO!**

Your name/address

[Redacted]  
[Redacted]  
South Tottenham  
N.15 [Redacted]

**Representation on licence application for:**

The Village  
118A West Green Road  
London  
N15 5AA

and  
[Redacted]  
[Redacted]

Its BAD now! Cant sleep with windows open, because of NOISE from Fountain Pub. We really do NOT need these late night noisy places!! **NO**

Name of licensee: Medina Basirika

**The prevention of crime and disorder/public nuisance**

The West Green Road has been a 'sensitive' area for many years and the Council's efforts since the riots (more cameras, upgrading shop fronts, communal garden, etc) have had a positive impact on the local community here. However, there are still regular occurrences of violence and abusive behaviour, and gatherings on the street, particularly at night/early hours of the morning.

As an example, When the Fountain pub (1.30-2.00am on Fridays/Saturdays) closes, a stream of people can be heard shouting, singing and sometimes fighting, cars revving their engines hard, racing, urinating and vomiting. If an additional premises were opened nearby, it would simply act as a focal point for all these people to go to, creating a new centre for determined drinkers from all over the locality.

This part of West Green Road has residential accommodation and also above shops/takeaways. Nearly all the shops operate between normal hours. A club operating all day to 2am would generate disturbing and intrusive levels of noise from music, talking/shouting, people traffic (coming and going), noise of cars parking/leaving all night/morning.

The area is improving slowly, the new flats at Lawrence Square (25 metres away) brought 1800 new residents and their families, this is the kind of neighbourhood I want to live in, not one dominated by a club offering loud music and alcohol until 2 in the morning. It would be a big step backwards and undo the Council's good work here.

HARINGEY COUNCIL  
RECEIVED  
- 3 JUL 2017

**Public safety**

During the day and night, the presence of customers standing on the street, smoking and intoxicated will cause people to avoid the vicinity, especially mothers with children and the elderly. There are a lot of obviously heavy drinkers in the area and encouraging these people is again a complete step backwards and compromises public safety. The increase in traffic will also put safety at risk in an already busy area.

**Protection of children from harm**

The area is becoming a better place for children to grow up in, the idea of having a club selling alcohol, purveying loud/club music and resultant anti-social behaviour on their doorstep, next to their homes, where they walk to and from school, does not create a good and safe environment for children.

I, [Redacted], hereby declare that all information I have submitted is true and correct.

Signed: [Redacted]

Date: 22nd June 2017

---

**Appendix C- Representation from Police and Licensing Authority and Enforcement.**

---



**YR - Haringey Borough**

Mrs D Barrett

Haringey Council Licensing  
Alexandra House  
Station Road  
London N22

Quicksilver Patrol Base  
Unit 1 Quicksilver Place  
Western Road  
London  
N22 6UH

Telephone: 020 32760150

Email: [Mark.Greaves@met.police.uk](mailto:Mark.Greaves@met.police.uk)  
[www.met.police.uk](http://www.met.police.uk)

30th June 2017

Dear Mrs Barrett

**POLICE OBJECTION NOTICE to a Variation of a Premises Licence**

Name of Licence holder: Mediwa Basirika

Venue: The Village, 118 West Green Road N15 5AA

This application relates to an increase in operating hours from:

Supply of alcohol: Sunday - Thursday 1200 - 2230      Friday - Saturday 1200 - 0000

Opening Hours: Sunday - Thursday 1200 - 2300      Friday - Saturday 1200 - 0030

To:

Supply of alcohol: Monday - Thursday 1200 - 0100      Friday - Sunday 1200 - 0130

Opening Hours: Monday - Thursday 1200 - 0130      Friday - Sunday 1200 - 0200

The present license has a Condition stating 'All alcohol sales will be ancillary to substantial food.'

The present application replaces and extends this Condition with:

**'The business will operate strictly as a restaurant where the sale of alcohol is ancillary to food and customers must be seated taking a substantial meal with all the service by waiting staff only. Customers taking or intending to take a table meal shall be permitted to enjoy a drink before, during or after their meal.'**

On Wednesday 14<sup>th</sup> June 2017 at 1200 I attended The Village, 118 West Green Road N15 where I met the Premises Licence holder, Mediwa Basirika and her legal representative Graham Hopkins. I had been invited there to discuss the application by Ms Basirika to extend the venues licensed hours and remove / alter some Conditions. I asked for someone to be present who could operate the CCTV system as per Condition on their Premises Licence. The venue has apparently been opening outside its licensed hours for some time. I viewed CCTV,

with Mr Hopkins and Ms Basirika, from the previous weekend to ascertain the quality of the footage at night, if the Condition of alcohol being sold as an ancillary to substantial food and what time they closed.

#### CCTV

Friday 9<sup>th</sup> June 2017

2050 – 4 clients with alcohol – tables clear of food / used plates etc.  
2200 – 11 clients with alcohol – tables clear of food / used plates etc  
2340 – 11 clients with alcohol – tables clear

#### **0030 Venue should be closed**

0127 – 12 clients with alcohol – tables clear  
0240 – 6 clients alcohol sold  
0340 – 10 clients and alcohol sales  
0450 - 12 clients

0550 Mediwa clearing up

Saturday 10<sup>th</sup> June 2017

2145 – 8 clients with 2 at a table having a meal rest of tables clear  
2230 – 8 clients with clear tables and 1 man at counter with a plate of food  
0015 – 22 clients – tables clear

#### **0030 venue should close**

0145 – 12 clients – tables clear – alcohol sales  
0300 – 7 clients – alcohol sales – tables clear

The CCTV has a Condition that footage is held for 31 days but I was informed the system stores footage from the 1<sup>st</sup> to the end of month and then overwrites. Mr Hopkins told them they needed to increase the hard-drive size to comply with the 31 day Condition.

The sign outside was still advertising the previous company. Mr Hopkins told me he had pointed that out to Ms Basirika and it would be changed soon.

I requested CCTV footage for Saturday 3<sup>rd</sup> June and supplied a USB. Ms Basirika supplied the footage a few days later.

File 1: 2100 8 clients with one eating.  
2112 Family attend and have a meal

File 2: 2200 - 2300 No meals

File 3: 2300 0000 No meals Condition on Premises Licence states no entry after 2300

File 4: 0000 – 0001 Alcohol sales should cease at 0000 and venue should close at 0030

0045 Clients drinking alcohol, music, no meals  
0051 Alcohol sale  
0055 Alcohol sale  
0057 Alcohol sale

File 5: 0100 DJ playing music

0105 Person enters  
0106 Person enters  
0110 Alcohol sale  
0112 2 persons enter  
0123 2 persons enter  
0125 Alcohol sale  
0126 Alcohol sale  
0135 Alcohol sale  
0145 Person enters

0150 food sale

File 6: 0200 0100 – 0200 DJ still playing music No meals  
0203 Client enters venue  
0206 Alcohol sale  
0209 Music, dancing, people with alcohol coming from rear by bar  
0210 Alcohol sale  
0214 Alcohol sale

File 7: 0221 DJ playing music  
0225 Alcohol sale  
0249 Alcohol sale by Mediwa

File 8: 0302 Client pays cash, assume the bill  
0304 DJ packs equipment away.  
0320 Alcohol sale Mediwa

Looking at the venues CCTV it is obvious they are not operating as a restaurant, at least from 2100, with few clients ordering a meal. Not only is the present Premises Licence Condition: **'All alcohol sales will be ancillary to substantial food'** being blatantly ignored but the proposed Condition:

**'The business will operate strictly as a restaurant where the sale of alcohol is ancillary to food and customers must be seated taking a substantial meal with all the service by waiting staff only. Customers taking or intending to take a table meal shall be permitted to enjoy a drink before, during or after their meal'** is very unlikely to happen looking at the 3 days in question and the applicant must know this. With regards enforcement of Conditions the amendment makes this more difficult as 'intending to take a meal' would cover the presence of clients consuming alcohol at time of visit and consider the present condition relating to meals remains. Obviously the Condition relating to no entry after 2300 is also ignored along with ceasing alcohol sales and closing at 0030.

This venue is obviously operating as a bar and Police cannot see how the 'meal' condition could be enforced except to refuse service to at least 95% of clients after 2100 as they obviously do not want a meal. I am not suggesting meals are not available or applicant would not want to serve a meal it is that the clients do not appear to want one.

Police feel that venues should be run responsibly and show they can operate within the law and licence conditions whilst respecting their neighbours before any extension of hours. In this case the venue remains open and busy not only after present licensed times but after the 0200 requested on the application which suggests the venue will not adhere to any extended hours but rather use them to reduce the time they are operating outside of their licensed hours.

Yours sincerely,

Mark Greaves  
Licensing Officer Haringey Police

## **Anderson Chanel**

---

**From:** Barrett Daliah  
**Sent:** 03 July 2017 09:59  
**To:** Anderson Chanel  
**Subject:** FW: Application for the Variation of a Premises Licence - The Village 118 West Green Road, London N15

**Importance:** High

I am writing on behalf of the Licensing Authority to make representation in regard to your application for a variation of the premise licence at The Village, 118 West Green Road London N15. The conditions offered in the application form do not reflect any consideration being given to the make up of the local area and the potential impact the business may have if it were to go for later hours.

In determining what conditions are appropriate, it will be necessary to consider the individual circumstances of the premises, including:-

- The nature and style of the venue,
- The activities being conducted there,
- The location, and,
- Anticipated clientele.

We are unable to support any increase in hours at this premises as we feel that the premises is not suitable for the extended hours now being requested by the applicant. The application is seeking to offer regulated entertainment to the early hours of the morning also. We feel that the close proximity of residential premises will be severely impacted by any such additional activity and or increase in hours.

We feel that the current hours of operation should remain as they area. Ms Basrika has not acted in a responsible manner in that she has consistently permitted the premises to stay open beyond its permitted times offering licensable activity without the correct permission being in place. This was discovered on the CCTV footage that was seen at the property and the complaints that residents have been making.

The Authority also considers that it is imperative to have a balance between the needs of the business and the needs of local residents to ensure there is no adverse impact on the community.

Regards

Licensing Authority

**Haringey**  
LONDON

Haringey Council  
6th Floor, 10 Station Road, London, N22 7TR

T. 020 8489 8232  
[www.haringey.gov.uk](http://www.haringey.gov.uk)  
[twitter@haringeycouncil](mailto:twitter@haringeycouncil)  
[facebook.com/haringeycouncil](https://www.facebook.com/haringeycouncil)

Please consider the environment before printing this email.

## Licensing Consultation

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation: Charles Buckle

Our Reference: WK/000384117

Date: 26th June 2017

Premises: The Village, Shop, 118A West Green Road, Tottenham, London, N15 5AA

Type of application: Variation

I would like to confirm that I have considered the above proposal with regard to the prevention of public nuisance on behalf of the Enforcement Response (Noise) Team & would like to make representations to the Application

I cannot support this application as it has previously been to Licensing Committee Review on 21/12/15 for issues of, Operating beyond their permitted hours and loud music.

In my opinion the issues the Review on 21/12/15 addressed would return as from Supporting Information below, the management are still not complying with their current license.

### Supporting Information

Date reported & time	Subject	Observations & time	Outcome	Our Ref
21/12/15		Committee Resolution		
06/10/16 Thursday	Noise	Loud music and alcohol after licensing times at 00.30hrs	NS136	Wk/366261
12/11/16 Saturday	Noise	Loud music after licensing times at 22.16hrs	NS136 NS5	Wk/366261
18/12/16 Sunday	Noise	Loud music after licensing times at 22.51hrs.	Nil	Wk/366261
06/02/17 Monday	Noise	Loud music and alcohol after licensing times at 02.15hrs	NS101	366261 Ps/375940
09/03/17	Simple Caution	For licensing offence on 06/02/17		Ps/375940
17/05/17	Noise	Loud music and alcohol after licensing times at 23.22hrs	Pending	Wk/366261

Charles Buckle  
Enforcement response

<p><b>Alleged Offender</b>                  Name: Ms Mediwa Basirika</p> <p>Re: 2 Gunby,                  23 Mount Pleasant Road,                  Tottenham,                  London,                  N17 6TR</p>			
<p>Ref: WK375940</p>			
<p><b>Offence:</b></p>	<p>Repeat breaches of license conditions (open beyond permitted times &amp; regulated entertainment outside of permitted times) witnessed on 6<sup>th</sup> February 2017</p>		
<p><b>Officer:</b></p>	<p>George Roberts</p>		
<p>Visits and officer time                  £69 per hour for first 2 hours (minimum) and £69 for subsequent hours</p>	<p>£69 x 2</p>	<p>£138</p>	
<p>Statements / document preparation</p>			
<p>Photographs (£5 each)</p>			
<p>Miscellaneous                  e.g. company search £20                  test purchase                  Typing &amp; administration £25</p>			
		<p><b>Total costs</b></p>	<p><b>£138</b></p>



## Commercial & Operations

Regulatory Services Manager: Gavin Douglas



Ms Mediwa Basriika  
The Village,  
118A West Green Road  
London  
N15 5AA

Date: 13<sup>th</sup> February 2017  
Our ref: C&O/RS WK375940  
Contact: Enforcement Response team

Dear Ms Basriika

Re: The Village, 118A West Green Road, London, N15 5AA  
Haringey Council v Ms Mediwa Basriika

The facts of the alleged offence reported to me by the case officer namely that on 6<sup>th</sup> February 2017 there were repeat breaches of license conditions (open beyond permitted times & regulated entertainment outside of permitted times) contrary to warning letters issued on 1<sup>st</sup> November 2016 & 22<sup>nd</sup> November 2016 served under of the Licensing Act 2003.

Having carefully considered these facts and the circumstances surrounding the alleged offence I have concluded that there are sufficient grounds to institute legal proceedings against you under the above mentioned Act. However, on this occasion I am proposing to issue a Simple Caution in respect of the allegation.

This course of action is subject to your agreement and admission of the alleged offence.

I must advise you that should you agree to accept a Simple Caution, a record will be kept of it at this office. The record of a Simple caution may influence any subsequent decision should you be found to be infringing the law in the future.

A Simple Caution is not a form of sentence (which only a court can impose), nor is it a criminal conviction. It is however an admission of guilt. The Simple Caution may also be cited should a Court subsequently find you guilty of a related offence.

If you are in agreement with the proposed course of action I would be obliged if you will contact me by 24<sup>th</sup> February 2017 to arrange a mutual time for you to come into this office so the Simple Caution can be administered.

I look forward to hearing from you.

Name of officer administering the caution: Mr Derek Pearce

If a Simple Caution is not administered for whatever reason then this matter may proceed to prosecution in a magistrates Court

NS101 rev: October 2016

### Enforcement Response Team

Level 6, Alexandra House  
10 Station Road, Wood Green  
London N22 7TR

F: 020 8489 5133  
T: 020 8489 1000  
E: enforcement.response@haringey.gov.uk

www.haringey.gov.uk/noise

**Please also be aware that the Council will be seeking costs as detailed in the attached schedule and this should be settled either in the week before the Caution is administered or at the caution meeting. A receipt will be issued.**

**Yours sincerely,**

**George Roberts  
Enforcement Response team**

**Copy to:**

**Ms Mediwa Basirika**

[Redacted]

**Haringey Council**

**Ref: C&O/RS WK375940  
Chief Operating Officer  
Enforcement Response  
Level 6 Alexandra House,  
10 Station Road  
London N22 7TR**

**Record of Simple Caution**

**Part 1: Identity of Person Cautioned**

**Surname** Basirika  
**First Names** Mediwa  
**Date of Birth:** 1/1/73  
**Occupation:** Premises Licence Holder

**Name & Address (and nature of business if offence in connection with a business)**  
The Village, 118A West Green Road, London, N15 5AA

**Part 2: Persons Present**

**Team Leader Name:** Derek Pearce

**Sign**.....

**Appellant Name:** Ms Mediwa Basirika

**Sign**.....

**Witness**

**Officer Name:** Charley Osinaika

**Sign**.....

**Part 3: Details of Offence(s)**

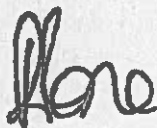
**Repeat breaches of license conditions (open beyond permitted times & regulated entertainment outside of permitted times) witnessed on 6<sup>th</sup> February 2017**

**Part 4: Certificate as to Evidence & Public Interest Considerations**

**I certify that I am satisfied that there is evidence of the offender's guilt sufficient to give a realistic prospect of conviction of the offence specified in Part 3 hereof. I am further satisfied that the administration of a caution is in the public interest by reason of:-**

**The offender's attitude towards the offence including practical expression of regret.**

**Signed**



**Senior Officer Name          Derek Pearce**  
**Title Team Leader**

**Officer Name: Charles Orinaka**

**Signed**



**Part 5: Admission of Offence & Consent to Caution**

**The significance of the caution has been explained to me in the presence of the persons named in Part 2 hereof.**

**I understand that I have the right to take independent legal advice before I sign or say anything and that I do not have to sign or say anything unless I wish to do so.**

**I understand that if I am cautioned in respect of the offence specified in Part 3 hereof, a record will be kept of the caution and that the fact of a previous caution may influence the decision whether or not to prosecute if I should offend again and that the caution may be cited if I am subsequently found guilty of an offence by a Court.**

**I admit the offences specified in part 3 hereof and consent to be formally cautioned.**

**Signed Appellant**



**Dated: 9/3/17**

**Part 6: Certificate as to Caution**

On 9<sup>th</sup> March 2017 at 1510 hours

I cautioned the person named in Part 1 hereof in respect of the offence specified in Part 3 hereof.

Senior Officer Name          Derek Pearce  
Title Team Leader

Signed

Dated 9/3/17

**Ethnic Origin**

In view of the importance of ensuring that every cautioning decision is taken on the basis of fair and equal treatment irrespective of ethnic origin, the Head of Legal Services maintains a record of the ethnic origin of persons cautioned in order that decisions may be monitored. Please specify Ethnic Origin (not Nationality) as UK European, Greek-Cypriot, Turkish-Cypriot, African, Caribbean/West Indian, Asian, Irish or Other (specify):

Ethnic                                  Origin                                  .....

**Monday 6<sup>th</sup> February 2016 02:15 -- George Roberts**

**Premises open as usual for business - Loud music and people consuming alcohol at tables - Premises open beyond permitted times + regulated entertainment also taking place - I requested to speak to DPS and about 5 minutes later she turned up - She had popped home to check the kids - Music was turned off and I asked her to close premises - She did so and we discussed problem - I informed her that I would notify my manager and I would revisit tomorrow at around 20:00 hrs to finish off inspection.**

**Appendix D- Previous variation resolution.**

## RESOLUTION – The Village, 118 West Green Road

The Committee carefully considered the application for a variation of the premises licence of The Village, 118 West Green Road London N15 5AA, the representations of the applicant and the Metropolitan Police and Licensing Authority as responsible authorities, the Council's Statement of Licensing Policy and the s182 guidance.

The Committee resolved to grant the variation in part as follows:

### Supply of alcohol

Sunday to Thursday 1200 to 2230

Friday to Saturday 1200 to 0000

Supply of alcohol for consumption ON the premises, ancillary to a meal.

### Regulated Entertainment

Live music should be limited to:

Sunday to Saturday 1200 to 2200

### Late Night Refreshment

Friday to Saturday 2300 to 2330

### The opening hours of the premises

Sunday to Thursday 1200 to 2300

Friday to Saturday 1200 to 0030

In making its decision, the Committee had regard to the licensing objectives, namely the prevention of crime and disorder, the promotion of public safety, the prevention of public nuisance and the protection of children from harm. The Committee was satisfied having heard all the representations that the terms of the existing licence had not been adhered to by the applicant. The result of the applicants' non-compliance was an increased risk of crime and disorder at the premises and in the locality. This was made worse by the occurrence of public nuisance, in particular, noise emanating from the premises. In addition, the consumption of alcohol in a manner other than as an ancillary to the serving of meals was considered to be a risk to public safety. In the circumstances, the requested increase in hours, in particular the serving of alcohol from 6am to 4am, presents a risk that children could be harmed because the licence conditions relating to the serving of alcohol are clearly not being adhered to. The applicant appeared not to understand the importance of complying at all times with the terms of her licence.

The Committee approached its decision with an open mind and only determined the application after having considered all the representations and considered that the licence conditions and decision as set out above were necessary and proportionate.



**Appendix E- Copy of current Premises Licence**

## PREMISES LICENCE

Receipt: AG1074842

Premises Licence Number: LN/000013122

*This Premises Licence has been issued by:*

**The Licensing Authority, London Borough of Haringey,  
6<sup>th</sup> Floor Alexandra House, 10 Station Road,  
Wood Green, London, N22 7TR**

Signature: .....

Date: 28<sup>th</sup> August 2014  
Variation 21<sup>st</sup> December 2015

### Part 1 – PREMISES DETAILS

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

**THE VILLAGE  
118 WEST GREEN ROAD  
TOTTENHAM  
LONDON  
N15 5AA**

Telephone: 020 3601 7474

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

Not applicable

**Licensable activities authorised by the Licence:**

Supply of Alcohol

Regulated Entertainment: Live Music

Late Night Refreshment

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

Supply of Alcohol

Sunday to Thursday                      1200 to 2230

Friday to Saturday                        1200 to 0000

Live Music

Sunday to Saturday                        1200 to 2200

Late Night Refreshment

Friday to Saturday                         2300 to 2330

**The opening hours of the premises:**

Sunday to Thursday                        1200 to 2300

Friday to Saturday                         1200 to 0030

LICENSING ACT 2003  
Sec 24

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

Supply of alcohol for consumption **ON** the premises, ancillary to a meal

**Part 2**

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

Mediwa Basirika  
23 Mount Pleasant Road  
Tottenham  
London  
N17 6TR

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

Not applicable

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

Mediwa Basirika  
23 Mount Pleasant Road  
Tottenham  
London  
N17 6TR

**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:

LN/000007070

Issued by:

The London Borough of Haringey

## **Annex 1 –Mandatory Conditions**

1. 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. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3.
  - (1) The responsible person must 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.
    - 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 in a manner which carries a significant risk of undermining a licensing objective;
    - 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 in a manner which carries a significant risk of undermining a licensing objective;
    - d) 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.
    - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

## **Annex 1 –Mandatory Conditions**

(3) 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 either:-

- (a) a holographic mark or
- (b) an ultraviolet feature.

6. 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) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) The holder of the premises licence
  - (ii) The designated premises supervisor (if any) in respect of such a licence, or
  - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

## **Annex 1 –Mandatory Conditions**

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **RESTAURANT CONDITION:**

Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person ancillary to his meal.

Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises

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

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

A digital CCTV system will be installed in the premises.

Cameras must be sited to observe the entrance doors from inside.

Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.

Provide a linked record of the date, time, and place of any image.

Provide good quality images - colour during opening times.

Have a monitor to review images and recorded quality.

Be regularly maintained to ensure continuous quality of image capture and retention.

Staff trained in operating CCTV.

Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.

An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

No sale or supply of hot food or drink will be permitted after 23.00pm

All alcohol sales will be ancillary to substantial food.

No customers are permitted entry after 23.00pm

No more than three customers are permitted at the front of the premises to smoke at any one time.

No drinks are permitted to be taken outside of the premises

Staff will undergo training to acquire awareness of how to prevent crime and disorder and prevention of drug sales on the premises.

The Licensee will cooperate with the police when required.

### **PUBLIC SAFETY**

Clear and legible signage will be displayed

Health and Safety standards will be met on the premises.

Inspection certificates will be kept on the premises.

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

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

#### Prevention of nuisance from noise / vibration

The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas

#### Structure borne noise

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

#### Outside Areas

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

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

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

#### Deliveries and collections

Deliveries and collections associated with the premises will be arranged between the hours 08:00-20:00 so as to minimise the disturbance caused to the neighbours

Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed

#### Plant and machinery

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise

#### Dealing with complaints

A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers

#### Patrons entering/exiting premises

There will be no queuing outside the premises.

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

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



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

### Prevention of nuisance from litter

Adequate receptacles for use by patrons will be provided.

### Prevention of Nuisance from Odour

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

### Prevention of nuisance from light

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

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

Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

## **THE PROTECTION OF CHILDREN**

Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

All relevant staff will be regularly trained in the prevention of underage sales including; knowledge of the law and guidance on how to assess age and recognise acceptable ID. Such ID must bear a photograph, date of birth and a holographic mark

A written record will be kept of staff training confirming they have understood the legal requirement

A refusals register will be kept available for inspection by authorised officers

The 'Challenge 21' policy will be implemented.

Only children accompanied by an adult are permitted on the premises.

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

**RESOLVED** 21<sup>st</sup> December 2015

The Committee resolved to grant the variation in part as follows:

Supply of alcohol

Sunday to Thursday 1200 to 2230

Friday to Saturday 1200 to 0000

Supply of alcohol for consumption ON the premises, ancillary to a meal

Regulated Entertainment

Live music should be limited to:

Sunday to Saturday 1200 to 2200

Late Night Refreshment

Friday to Saturday 2300 to 2330

The opening hours of the premises

Sunday to Thursday 1200 to 2300

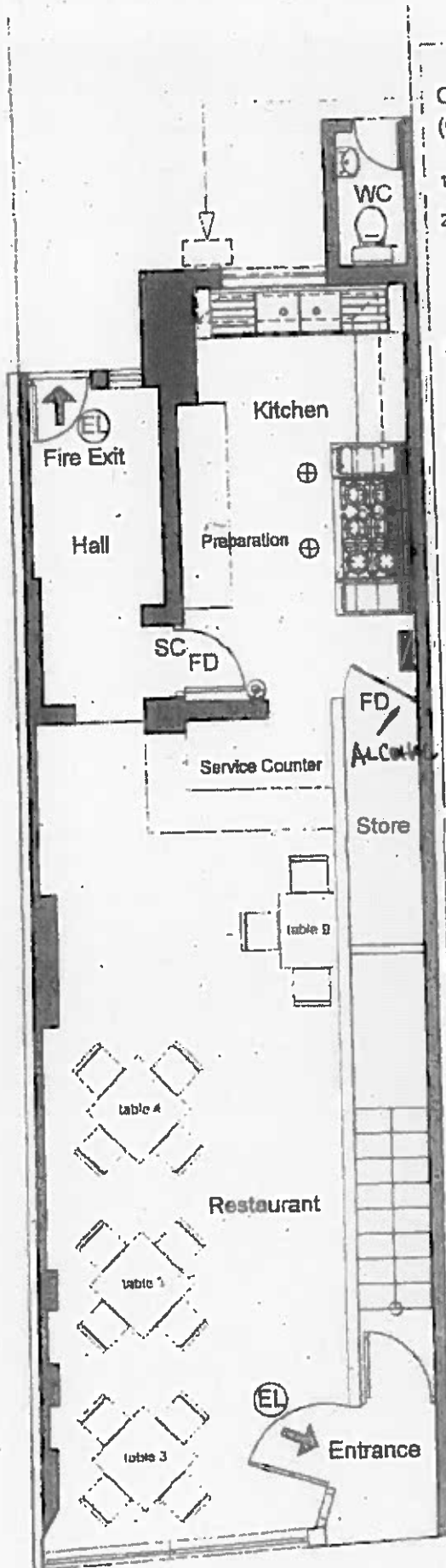
Friday to Saturday 1200 to 0030

In making its decision, the Committee had regard to the licensing objectives, namely the prevention of crime and disorder, the promotion of public safety, the prevention of public nuisance and the protection of children from harm. The Committee was satisfied having heard all the representations that the terms of the existing licence had not been adhered to by the applicant.

The result of the applicants' non-compliance was an increased risk of crime and disorder at the premises and in the locality. This was made worse by the occurrence of public nuisance, in particular, noise emanating from the premises. In addition, the consumption of alcohol in a manner other than as an ancillary to the serving of meals was considered to be a risk to public safety. In the circumstances, the requested increase in hours, in particular the serving of alcohol from 6am to 4am, presents a risk that children could be harmed because the licence conditions relating to the serving of alcohol are clearly not being adhered to. The applicant appeared not to understand the importance of complying at all times with the terms of her licence.

The Committee approached its decision with an open mind and only determined the application after having considered all the representations and considered that the licence conditions and decision as set out above were necessary and proportionate.

# Annex 4 - Plans



## Cooker Extract Details: (Commercial Stainless Steel)

- 1 Canopy size 920mmx1530mm
- 2 Air Speed moving across face of canopy 100R/min, providing escape volume of 0.94 cu.M/sec
- 3 Speed of stale air moving through extract duct = 1000R/min
- 4 Canopy incorporates condense channel all around and contains 3-4 Nos. baffle type grease filters, 2 Nos. bulk head lights of 100 watts each.

## Duct Details:

GSS extract picks up stale air from the canopy, then runs tight to ceiling and through carbon filter above the flat roof and fitted with AV mounted fans. At Exit a silencer will be fitted in order to reduce noise. It then discharges the stale air 2.0 metres above eaves line on the main building as shown on rear elevation.

## LEGEND:

- (EL) Emergency Lighting
- ➔ Fire Escape Route
- ⊕ SD Mains operated interlinked smoke detector
- ⊕ HD Mains operated interlinked smoke detector
- ▭ Fire Blankets
- SC Self-Closing Door
- FD 1/2 hr Fire Door
- ⊙ Fire Extinguisher

Ground Floor - Proposed

AUTOMATIC FIRE ALARM (BS 5839 Part