

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

Supply of Alcohol

Monday to Saturday 1000 to 2230

Sundays 1000 to 2000

New Years Eve from 1000 to 0100

Recorded Music

New Years Eve from 1000 to 0100 and private functions until 2300

The opening hours of the premises:

Monday to Saturday 0700 to 2300

Sunday 1000 to 2030

New Years Eve from 1000 to 0200

A copy of the current licence can be found at Appendix 2.

1.5 Representations

1.6 Residents have made representation against the application. Please refer to Appendix 3 for further information.

2 Background

2.1 The premises have been operated by KMNS Trading since May 2016 and there are no complaints recorded against the operation of the business to date.

2.2 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 may take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives.

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.

3.4 Options:

3.5 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:

In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

- to modify the conditions of the Licence; or
- to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

3.6 The licensing authority's determination of this application is subject to a 21 day appeal period or if the decision is appealed the date of the appeal is determined and /or disposed of.

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:

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

5 Use of Appendices

Appendix 1 – Application and supporting documents

Appendix 2 – Copy of current Premises Licence

Appendix 3 – Representations from residents.

Background papers: Section 82 Guidance
Haringey Statement of Licensing policy

Appendix 1– Application and supporting documents

HARINGEY COUNCIL
LICENSING
RECEIVED

- 5 JUN 2017

Application to vary a premises licence under the Licensing Act 2003

WK/384446

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **KMNS Trading Limited**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
LN/000014597

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Nickel
143B Crouch Hill

| | | | |
|-----------|--------|----------|--------|
| Post town | London | Postcode | N8 9QH |
|-----------|--------|----------|--------|

| | |
|---------------------------------------|---------------|
| Telephone number at premises (if any) | 020 8340 2888 |
|---------------------------------------|---------------|

| | |
|---|---------|
| Non-domestic rateable value of premises | £11,250 |
|---|---------|

Part 2 – Applicant details

| | |
|---|--|
| Daytime contact telephone number | |
| E-mail address (optional) | |
| Current postal address if different from premises address | |
| Post town | |
| Postcode | |

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY
[][] [][] [][][][]

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We are looking to extend our licensing hours:

- Sunday – 2300
- Monday – 2300
- Tuesday – 2300
- Wednesday – 2300
- Thursday – 2300
- Friday – 2300
- Saturday – 2300

We are also planning for outside trading for approx. 6-8 people seated at a table placed at the front of the unit.

To vary the layout of the premises in accordance to the plan submitted

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 8) | | | <u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u> | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here (please read guidance note 5)</u> | | |
| Mon | | | | | |
| | | | <u>State any seasonal variations for performing plays (please read guidance note 6)</u> | | |
| Tue | | | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u> | | |
| Wed | | | | | |
| | | | | | |
| Thurs | | | | | |
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| Fri | | | | | |
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|--|--------------|---------------|---|----------|--------------------------|
| Films Standard days and timings (please read guidance note 8) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u> | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here (please read guidance note 5)</u> | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u> | | |
| Thurs | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u> | | |
| Sat | | | | | |
| Sun | | | | | |

C

| indoor sporting events Standard days and timings (please read guidance note 8) | | | <u>Please give further details</u> (please read guidance note 5) |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | | | |
| | | | |
| Tue | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6) |
| | | | |
| Wed | | | |
| | | | |
| Thurs | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7) |
| | | | |
| Fri | | | |
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| Sat | | | |
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D

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|---|--------------|---------------|---|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 8) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</u> | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here (please read guidance note 5)</u> | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u> | | |
| Wed | | | | | |
| Thurs | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)</u> | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

E

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|---|-------|--------|--|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 8) | | | Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 5) | | |
| Mon | | | | | |
| | | | State any seasonal variations for the performance of live music (please read guidance note 6) | | |
| Tue | | | | | |
| | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| Wed | | | | | |
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| Thurs | | | | | |
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| Fri | | | | | |
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| Sat | | | | | |
| | | | | | |
| Sun | | | | | |

F

| Recorded music Standard days and timings (please read guidance note 8) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | <input type="checkbox"/> |
|---|-------|--------|--|----------|--------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 5) | | |
| Mon | | | | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for the playing of recorded music (please read guidance note 6) | | |
| | | | | | |
| Thurs | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| | | | | | |
| Sat | | | | | |
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| Sun | | | | | |
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G

| Performances of dance Standard days and timings (please read guidance note 8) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
|--|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) | | |
| | | | | | |
| Thurs | | | | | |
| | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
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| Sat | | | | | |
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|--|--------------|---------------|--|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| Wed | | | | | |
| Thurs | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6) | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Sun | | | | | |

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|--|--------------|---------------|---|----------|-------------------------------------|
| Late night refreshment Standard days and timings (please read guidance note 8) | | | <u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 5) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6) New Years Eve – 1000 to 0300 hours | | |
| Wed | | | | | |
| Thurs | 2300 | 0000 | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| Fri | 2300 | 0000 | | | |
| Sat | 2300 | 0000 | | | |
| Sun | | | | | |

J

| | | | | | |
|---|--------------|---------------|--|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 8) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 9) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) New Years Eve – 1000 to 0300 hours | | |
| Mon | 1000 | 2300 | | | |
| | | | | | |
| Tue | 1000 | 2300 | | | |
| | | | | | |
| Wed | 1000 | 2300 | | | |
| | | | | | |
| Thurs | 1000 | 0000 | <u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7) | | |
| | | | | | |
| Fri | 1000 | 0000 | | | |
| | | | | | |
| Sat | 10000 | 0000 | | | |
| | | | | | |
| Sun | 1000 | 2300 | | | |
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K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

L

| Hours premises are open to the public Standard days and timings (please read guidance note 8) | | | State any seasonal variations (please read guidance note 6) New Years Eve – 1000 to 0330 hours |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | 1000 | 2330 | <u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) |
| | | | |
| Tue | 1000 | 2330 | |
| | | | |
| Wed | 1000 | 2330 | |
| | | | |
| Thurs | 1000 | 0030 | |
| | | | |
| Fri | 1000 | 0030 | |
| | | | |
| Sat | 1000 | 0030 | |
| | | | |
| Sun | 1000 | 2330 | |
| | | | |

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

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

existing conditions will apply along with those set out below. Additional signage may be added to the exterior of the building regarding noise/smoking hours of service outside.

b) The prevention of crime and disorder

We are proposing a small variation in licensing hours and a small area of outside seating. The outside area is clearly visible by all staff and will be monitored throughout licensing hours both internally + externally.

c) Public safety

The 6 seats intended for external use will be constantly checked by staff. All glass/cutlery/crockery removed as soon as it has been used. Chairs kept tucked in. Pavement kept clear for members of public. Possible roped off area.

d) The prevention of public nuisance

The main issue we will face regarding the extended hours and outside seating will be noise. We will monitor this closely with our neighbours and if necessary remove the outside seating earlier in the evening. Additional Signage could be added internally.

e) The protection of children from harm

We are aware of the need for our patrons to drink responsibly and we enforce this in our day to day running of the business. Any patrons that we feel are behaving antisocially are refused service.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|---|
| Signature |  |
| Date | 5th June 17. |
| Capacity | Director. |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

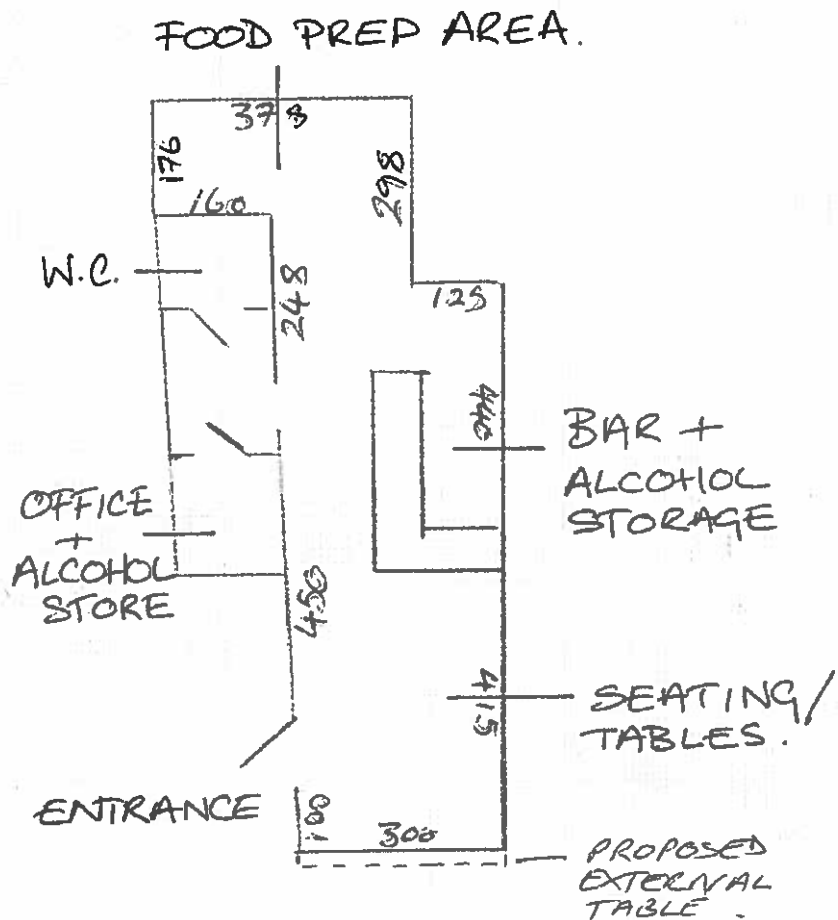
TO PREMISES.

| | | | |
|---------------------------|--|-----------|--|
| Post town | | Post code | |
| Telephone number (if any) | | | |

Annex 4 - Plans

FLOOR PLAN TO SUPPORT
LICENSE APPLICATION
FOR 143A CROUCH HILL
LONDON N8 9QH

SCALE 1:100



CROUCH HILL.

Appendix 2- Copy of current Premises Licence



Haringey Council

PREMISES LICENCE

Receipt: SELMS00002119

Premises Licence Number: LN/000014597

This Premises Licence has been issued by:

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

Signature: 

Date: 14th July 2015
Variation: 29th June 2016

Part 1 – PREMISES DETAILS

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

**NICKEL
143A CROUCH HILL
LONDON
N8 9QH**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Regulated Entertainment: Recorded Music

Supply of Alcohol

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

Supply of Alcohol

Monday to Saturday 1000 to 2230

Sundays 1000 to 2000

Recorded Music

New Years Eve from 1000 to 0100 and private functions until 2300

The opening hours of the premises:

Monday to Saturday 0700 to 2300

Sunday 1000 to 2030

New Years Eve from 1000 to 0200

PREMISES DETAILS [CONT'D]

Name, (registered) address of holder of Premises Licence:

KMS Trading Ltd
27 The Chine
London
N10 3PX

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

09956241

Name of designated premises supervisor where the Premises Licence authorises the supply of alcohol:

Michael Spurgeon

State whether access to the premises by children is restricted or prohibited:

Children under 16 years of age must be accompanied by an adult after 17:00, however will not be permitted after 17:00 on days of planned and non ticketed public music events or evenings with larger standing capacities expected.

Part 2

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

Supply of alcohol for consumption ON the premises

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

KMS Trading Ltd
27 The Chine
London
N10 3PX

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

09956241

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

Michael Spurgeon
20B Blythwood Road
London
N4 4EU

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: 13814
Issued by: The London Borough of Islington

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.

Door Supervisors:

All individual(s) at the premises for the purpose of carrying out a security activity must

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act..

Annex 2 – Conditions consistent with the Operating Schedule

An SIA registered door supervisor will be present for the duration of any and all planned and ticketed public music event.

No members of the public will be permitted to leave the premises with glass bottles containing alcohol.

The owner and DPS will both hold personal licences. The DPS shall take all reasonable steps to ensure that staff on the premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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 the 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.

Cameras must be sited to cover all areas to which the public have access including any outside smoking areas.

Provide a linked record of the date, time 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) any complaints received
- (c) any faults in the CCTV system or searching equipment or scanning equipment
- (d) any refusal of the sale of alcohol

Plastic and toughened glass will be used during the evening/nights of planned and ticketed entertainment.

Crime prevention notices will be made visible within the premises including (not limited to): Warnings for customer awareness of their property including mobile phones, and not to leave belongings unattended.

PUBLIC SAFETY

The Licensee will be obliged to comply with fire risk assessment requirements and to arrange timed commercial waste collections.

Appropriate safety strips will line the edges of the stage steps to warn patrons of a height changes to prevent falling, with warning notices including age retractions, for the use of the stage.

Annex 2 – Conditions consistent with the Operating Schedule

With the exception to non-standard timings, no licensable activities will take place after 00:00.

The licence holder will keep an incident book on the premises and record details of all instances of public disorder. This book will be made available for inspection to the Police and Licensing Officers on request at any reasonable time.

All safety certificates and inspection reports will be kept on site and made available for inspection by officers of relevant statutory bodies.

Adequate and appropriate supply of first aid equipment and materials will be available on the premises.

THE PREVENTION OF PUBLIC NUISANCE

Signs shall be erected asking patrons not to smoke or congregate outside of the premises;

The applicant will display a notice on the premises providing contact details for any complaints

No members of the public will be permitted to leave the premises with an alcoholic drink

All live music will stop prior to the 23:00 noise curfew, with the exception of non standard timings, of which will be advertised prior to the date reasonably in advance.

Windows and doors will be kept closed (other than for access and egress) for the duration of all licensable activities and while the premises is open to the public.

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

The sale of alcohol will cease at 23:30, allowing half an hour for patrons to leave orderly and quietly.

The placing of refuse by the licence holder and their staff (such as bottles and food containers) into receptacles outside the premises shall only be carried out at times and in such a manner so as to be unlikely to cause unreasonable disturbance to nearby residential or business properties, and ideally only during daytime working hours.

The movement of bins and refuse outside the premises will take place during normal working day hours.

THE PROTECTION OF CHILDREN

A challenge 25 scheme will be put in place. Therefore Government accepted proof of age cards must be presented prior to each alcohol sale if the person attempting to purchase alcohol appears to be under the age of 25, to those selling or supplying alcohol. The sale of alcohol will be allowed if the person provides Government accepted proof of age that they are over 18 years of age.

Children under 16 years of age must be accompanied by an adult after 17:00, however will not be permitted after 17:00 on days of planned and non ticketed public music events or evenings with larger standing capacities expected.

Children will not be allowed to approach the bar after 17:00

Children under 12 years of age will not be permitted to be seated on any table positioned on the stage and a notice will state as such.

Annex 2 – Conditions consistent with the Operating Schedule

Any restrictions on the admission of children to the premises shall be displayed in a prominent position at the entrance to the premises.

Packaging and promotion of alcoholic drinks provided at the premises will be in compliance with the Portman Group Retailer Alert Bulletins.

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

Resolved 14th July 2015

The Committee resolved to grant the application as follows:

Hours open to the public

Monday to Saturday 07:00 – 23:00 hours

New Years Eve 10:00 – 02:00 hours the following day

Supply of Alcohol (consumption on the premises)

Monday to Saturday 10:00 – 22:30 hours

New Years Eve 10:00 – 01:30 hours the following day

Having granted the licence for the supply of alcohol the premises will have an automatic right to provide live music and recorded music.

The licence is granted subject to the following conditions that the Committee considers appropriate in order to promote the four licensing objectives given the proximity of the premises to a creche and to residential properties:

1. The conditions put forward by the Metropolitan Police in the operating schedule on pages 31-32 of the agenda pack, which the Applicant has already agreed;

The conditions put forward in the operating schedule at pages 5 to 7 of the agenda pack, subject to any amendments consequential to the granting of the licensing, and the following amendment:

a. Paragraph 5.3 - No members of the public will be permitted to leave the premises with an alcoholic drink;

3. The Committee considers it appropriate to impose the following additional conditions to promote the licensing objectives for the prevention of public nuisance and the protection of children from harm:

- a. signs shall be erected asking patrons not to smoke or congregate outside of the premises;
- b. the applicant will display a notice on the premises providing contact details for any complaints.

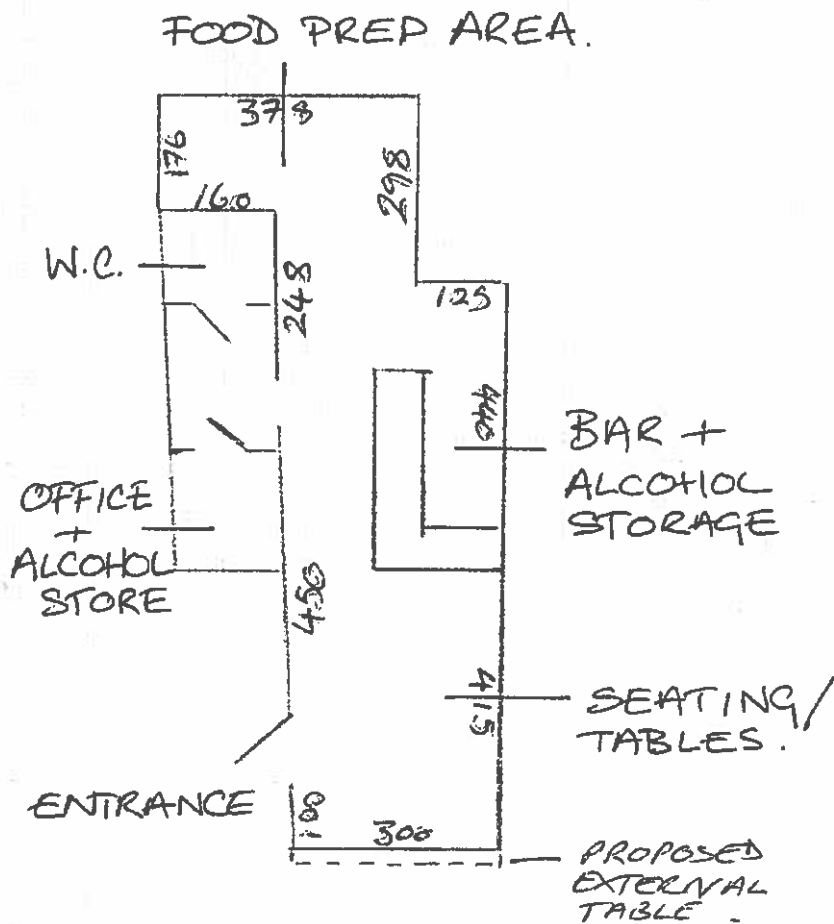
The Committee acknowledged concerns raised about fire evacuation safety, waste management and noise. The Committee notes that the applicant will be obliged to comply with fire risk assessment requirements and to arrange timed commercial waste collections.

Any impact of noise from the premises, particularly on children, should be reported to the Council's enforcement response team and dealt with under that procedure.

As an informative the Committee notes that the applicant will consider the installation of sound proofing if the relevant permissions are obtained.

FLOOR PLAN TO SUPPORT
LICENSE APPLICATION
FOR 143A CROUCH HILL
LONDON N8 9QH

SCALE 1:100



CROUCH HILL.

Appendix 3– Representations from residents

HARINGEY COUNCIL
FRONTLINE SERVICES

21 JUL 2017

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

| Personal Details | |
|--------------------------------|--|
| Name..... | HARINGEY COUNCIL LICENSING RECEIVED 21 JUL 2017 |
| Address..... | |
| Postcode..... | |

| Licence application you wish to make a representation on |
|--|
| <i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i> |
| Application Number..... |
| Name of Licensee <u>KMWS TRADING</u> |
| Name of Premises (if applicable) <u>WICKEL</u> |
| Premises Address (where the Licence will take effect)..... <u>143 CROUCH MILL LONDON W8 9QH</u> |
| Postcode <u>W8 9QH</u> |

| Reason/s for representation |
|--|
| <i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i> |
| <i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i> |

| |
|---|
| <p>The Prevention of Crime and Disorder</p> |
| <p>Public Safety</p> |
| <p>The Prevention of Public Nuisance</p> <p>See attached continuation page</p> |
| <p>The Protection of Children from Harm</p> |

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

Signed: _____

Date: 19th July 2017

Please send completed form to:

Haringey Council Licensing Team
 Alexandra House,
 Level 6,
 10 Station Road,
 Wood Green
 London, N22 7TR

Continuation page in respect of representations by
application by Nickel, 143 Crouch Hill, London N89QH.

in relation to the licensing

Prevention of Public Nuisance

1. The Notice of application appears to name a commercial organisation, KMNS trading, as the applicant. I believe the applicant needs to be an individual unless they are a club, charity etc. if this is correct, the application is invalid. It is essential to the prevention of public nuisance that a named person takes responsibility for the licensed premises.
2. I was not in favour of Nickel being granted a licence when it first opened. It has turned out, however, to be a popular and successful business. I therefore do not object in principle to a new license being granted. However, the restaurant is in the ground floor of an apartment building, in a quiet, residential part of Crouch End outside the commercial area. My house is opposite Nickel and like others in the vicinity, I am vulnerable to the noise generated by late night drinkers. I have 2 bedrooms whose windows open onto Crouch Hill. During warm weather, considerable noise escapes from the restaurant and is very disturbing to anyone trying to sleep. I recently tried to sleep in front bedroom but found the noise intolerable with the window open. Like most people, I need ventilation and it is unfair to the public to force them to sleep with windows closed.

The application will extend the licensing hours as follows:
 - a. from 22.30 23.00 on Mondays, Tuesdays and Wednesdays. I believe this is an unreasonable imposition on the residential area on school and work nights and I object;
 - b. from 22.30 to 0.00 on Thursdays. I believe this is an unreasonable imposition on the residential area on school and work nights and I object;
 - c. from 22.30 to 0.00 on Fridays and Saturdays. Although this will be very disturbing, I do not believe it is unreasonable for weekend nights, so I do not object; and
 - d. from 20.00 to 23.00 on Sundays. Sundays are the one evening of peace to which I believe the community is entitled. I object to any extension beyond 20.00.
3. I believe that the original premises license contained a condition that the windows must be kept closed and no drinkers allowed on the pavement outside the restaurant. This condition is essential to prevent public nuisance as any noise made by drinkers outside the premises bounces off the windows and is reflected outwards and upwards. I am sorry to note that last year there were a number of occasions when chairs or a bench were put outside. What probably seemed like innocuous conversations by those outside the restaurant were very loud and disturbing when reflected across the windows late at night. The prevention of public nuisance requires measures to contain noise within the restaurant and a prohibition on occupying the pavement.
4. It follows that I regard the application for 6 seats on the public pavement outside the restaurant as most prejudicial to the peace and comfort of the residents of the area. I therefore object most strongly on the grounds that this would be a public nuisance and not something that a community restaurant should want, or be allowed, to impose on its neighbourhood.

HARINGEY COUNCIL
LICENSING
RECEIVED

14 JUN 2017

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details

Name.....

Address.....
.....
.....

Postcode..

Licence application you wish to make a representation on

You do not need to answer all of the questions in this section, but please give as much information as you can:

Application Number.....

Name of Licensee.. KMNS TRADING LTD

Name of Premises (if applicable).. NICKEL...

Premises Address (where the Licence will take effect).....

..... H3h ... GROUCH ... H1Lh

Postcode.. NB 9QH

Reason/s for representation

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet **Variations, Representations and Appeals for Premises Licences and Club Premises Certificates**).

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

| |
|--|
| The Prevention of Crime and Disorder |
| Public Safety |
| The Prevention of Public Nuisance <i>Please see attached document.</i> |
| The Protection of Children from Harm |

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

Signed: 

Date: 12.6.17

Please send completed form to:

Haringey Council Licensing Team
Alexandra House,
Level 6,
10 Station Road,
Wood Green
London, N22 7TR

Prevention of Public Nuisance

I write as a tenant of [REDACTED] and object to the modifications of this application under the grounds of public nuisance. The licensees are pleasant but their business continues to cause nuisance and distress to ourselves as well as the surrounding general public. I object to the modifications within this application, notably the extension of the bar to include outdoor seating and an extension of opening hours on the following grounds:

Unreasonable noise: One family with two school aged children have already vacated their flat as a result of the noise. They made frequent complaints regarding noise to Haringey Council. Although the applicants have installed some soundproofing, the noise of music and people is completely untenable with our residency in the same building. The licensees have mounted a sign asking customers to respect the fact that people live here, but this is not managed. Loud music not only plays with the windows and often door open while customers are in the bar but before and after opening hours. We have seen no management of the noise. A recording of the sound from our internal hallway has been made which clearly indicates how loud it is. It is also clearly audible from inside the first and second floor flats through the floors and walls.

The extension of the premises to include outdoor seating would only exacerbate this problem of noise for all in the immediate locality as people would be drinking outside in the evening on the pavement. The local pub, the Haringey Arms has outside seating at the back of the pub as opposed to this application with seating on the street in front of our homes.

Shared entrance-way: Outside tables would present significant overcrowding in a shared entrance way. It is necessary to walk past the bar at very close quarters in order to enter our building - we often have to squeeze past bar customers in order to get through the door. The extension of the bar to include outside tables would necessitate additional maneuvering between people in order to get to our front door. Those of us with pushchairs would be struggling but of course, we all have shopping to manage. Frequent movement between these doors and the outside tables makes this a safety issue. Where there is outside seating locally the pavement is considerably wider eg. outside the Blue Legume on the corner of Crouch Hill and Haringey park.

Home: Many of us have lived here for considerable time, some for well over a decade. The changed use of the premises with this bar has had real impact on our lives here.

I urge you to reject the application for alteration.

