

# Public Document Pack



## LICENSING SUB-COMMITTEE

Wednesday, 13 March 2019 at 10.00 am  
Council Chamber, Civic Centre, Silver Street,  
Enfield, EN1 3XA

Contact: Jane Creer  
Committee Secretary  
Direct : 020-8379-4093  
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Ext: 4093  
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Council website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

Councillors : George Savva MBE (Chair), Anne Brown and Maria Alexandrou

## AGENDA – PART 1

### 1. WELCOME AND APOLOGIES FOR ABSENCE

### 2. DECLARATION OF INTERESTS

Members are asked to declare any disclosable pecuniary, other pecuniary or non pecuniary interests relating to items on the agenda.

### 3. HOP POLES PUBLIC HOUSE, 320 BAKER STREET, ENFIELD, EN1 3LH (REPORT NO 201) (Pages 1 - 68)

Application for variation of a premises licence.

### 4. MINUTES OF PREVIOUS MEETING (Pages 69 - 76)

To receive and agree the minutes of the meeting held on Wednesday 12 September 2018.

### 5. EXCLUSION OF THE PRESS AND PUBLIC

If necessary, to consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).  
(There is no part 2 agenda)

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**MUNICIPAL YEAR 2018/19 REPORT NO.**

**COMMITTEE:**  
Licensing Sub-Committee  
13 March 2019

**REPORT OF :**  
Principal Licensing Officer

**LEGISLATION :**  
Licensing Act 2003

Agenda - Part	Item
<p><b>SUBJECT:</b> Application for a variation of a premises licence</p> <p><b>PREMISES:</b> Hop Poles Public House, Public House, 320 Baker Street, ENFIELD, EN1 3LH.</p> <p><b>WARD:</b> Chase</p>	

**1. LICENSING HISTORY:**

- 1.1 On 16 February 2006, an application by **Mr Kenneth O'Hara** to convert an existing Justices On Licence to a Premises Licence, which was not subject to any representations, was granted by the Licensing Authority (LN/200502201).
- 1.2 The premises licence has been transferred four times since, and the Premises Licence Holder is now **Star Pubs & Bars Pubs Ltd, 3-4 Broadway Park, South Gyle Broadway, Edinburgh, EH12 9JZ** (since 11 June 2014) and the current Designated Premises Supervisor (DPS) is **Mr Michael Kirby** (since 4 April 2017).
- 1.3 The premises licence has not been subject to any reviews under the current or previous premises licence holders.
- 1.4 In the last year, Mr Michael Kirby was granted six Temporary Event Notices (TENs) to extend the hours from midnight to 2am for supply of alcohol, regulated entertainment and late night refreshment (LNR) on:

24 – 25 November 2018  
1 – 2 December 2018  
8 – 9 December 2018  
15 – 16 December 2018  
22 – 23 December 2018  
29 – 30 December 2018

These TENs were not subject to any objection.

- 1.5 A copy of Part A of the current premises licence (LN/200502201) is attached in Annex 1.

## 2 THIS APPLICATION:

2.1 On 24 January 2019 an application was made by **Star Pubs & Bars Ltd** for a variation of premises licence LN/200502201.

2.2 The application seeks:

Activity	Current Times	Applied for Times
Supply of Alcohol (on and off)	10:00 – 23:00 Mon – Wed 10:00 – 00:00 – Thurs – Sat 12:00 – 22:30 Sun	10:00 – 00:00 Sun – Thurs 10:00 – 02:00 Fri - Sat
Recorded Music	00:00 – 00:00 everyday	No change
Live Music	09:00 – 23:00 Mon – Wed 09:00 – 00:00 Thurs – Sat	09:00 – 00:00 Sun – Thurs 09:00 – 02:00 Fri – Sat
Performance of Dance	09:00 - 23:00 Mon – Wed 09:00 – 00:00Thurs - Sat	No change
Late Night Refreshment	23:00 – 23:00 Mon – Wed 23:00 – 00:30 Fri - Sat	23:00 – 23:30 Sun Rest – no change
Opening hours	00:00 – 00:00 everyday	No change

2.3 Plus to add the following non-standard timings:

2.3.1 New Year's Eve - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

2.3.2 An additional hour to the standard and non-standard times on the day when British Summertime commences

2.4 Each of the Responsible Authorities were consulted in respect of the application.

2.5 A copy of the application is attached as Annex 2.

## 3 RELEVANT REPRESENTATIONS:

3.1 **Metropolitan Police:** Representation is made on the grounds of representation of the prevention of crime & disorder. The authority considers that it is appropriate, for the promotion of the licensing objectives, to object to the full hours sought and seeks to modify the conditions.

3.2 A copy of the Police representation is attached as Annex 3.

- 3.3 **Licensing Authority (including Licensing Enforcement, Environmental Health, Trading Standards, Planning, Health & Safety and Children's Services):** Representation is made on the grounds of the prevention of crime and disorder, prevention of public nuisance and protection of children from harm. The authority considers that it is appropriate, for the promotion of the licensing objectives, to object to the full hours sought and seeks to modify the conditions.
- 3.4 A copy of the Licensing Authority representation and supporting documents is attached as Annex 4.
- 3.5 **Other Persons:** Representations have been made by four local residents, three against the application, and one in support. These local residents are referred to as IP1 to IP4 respectively. The grounds of representation include the prevention of crime & disorder and the prevention of public nuisance.
- 3.6 Copies of the representations against the application are attached as Annex 5 to Annex 7 respectively.
- 3.7 A copy of the representation supporting the application is attached as Annex 8.
- 3.8 It should be noted that a further representation from another resident was received after the consultation period had closed, so cannot be included as a valid representation. However, a redacted version was sent to the applicant for their information only.

#### **4 PROPOSED LICENCE CONDITIONS:**

- 4.1 The conditions arising from this application are attached as Annex 9. At the time this report was prepared, the applicant had not indicated whether there was any agreement to any of the conditions sought by the Responsible Authorities.

#### **5 RELEVANT LAW, GUIDANCE & POLICIES:**

- 5.1 The paragraphs below are extracted from either:
- 5.1.1 the Licensing Act 2003 ('Act'); or
  - 5.1.2 the Guidance issued by the Secretary of State to the Home Office of April 2017 ('Guid'); or
  - 5.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').

##### **General Principles:**

- 5.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].
- 5.3 The licensing objectives are:
- 5.3.1 the prevention of crime and disorder;
  - 5.3.2 public safety;
  - 5.3.3 the prevention of public nuisance; &
  - 5.3.4 the protection of children from harm [Act s.4(2)].

- 5.4 In carrying out its functions, the Sub-Committee must also have regard to:
- 5.4.1 the Council's licensing policy statement; &
  - 5.4.2 guidance issued by the Secretary of State [Act s.4(3)].

**Hours:**

- 5.5 The Sub-Committee decides licensed opening hours as part of the implementation of the licensing policy statement and is best placed to make decisions about appropriate opening hours in their area based on their local knowledge and in consultation with responsible authorities [Guid 10.13].
- 5.6 Stricter conditions with regard to licensing hours may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided. This will particularly apply in circumstances where, having regard to the location, size and nature of the premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods [Pol s.8.4].

**Decision:**

- 7.1 As a matter of practice, the Sub-Committee should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas [Guid 9.37].
- 7.2 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to:
- 7.2.1 the steps that are appropriate to promote the licensing objectives;
  - 7.2.2 the representations (including supporting information) presented by all the parties;
  - 7.2.3 the guidance; and
  - 7.2.4 its own statement of licensing policy [Guid 9.38].
- 7.3 Having heard all of the representations (from all parties) the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are:
- 7.3.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
  - 7.3.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - 7.3.3 to refuse to specify a person in the licence as the premises supervisor;
  - 7.3.4 to reject the application [Act s.18].

**Background Papers:**  
**None other than any identified within the report.**

**Contact Officer :**  
**Ellie Green on 020 8379 8543**

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Licensing Act 2003

**PART A – PREMISES LICENCE**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/200502201

**Part 1 – Premises Details**

Postal address of premises :

Premises name : Hop Poles Public House

Telephone number : 020 8363 0381

Address : Public House 320 Baker Street ENFIELD EN1 3LH

Where the licence is time-limited,  
the dates :

Not time limited

The opening hours of the premises, the licensable activities authorised by the licence and the times the licence authorises the carrying out of those activities :

**(1) Open to the Public - Whole Premises**

Sunday :	00:00 - 00:00
Monday :	00:00 - 00:00
Tuesday :	00:00 - 00:00
Wednesday :	00:00 - 00:00
Thursday :	00:00 - 00:00
Friday :	00:00 - 00:00
Saturday :	00:00 - 00:00

**(2) Supply of Alcohol - On & Off Supplies**

Sunday :	12:00 - 22:30
Monday :	10:00 - 23:00
Tuesday :	10:00 - 23:00
Wednesday :	10:00 - 23:00
Thursday :	10:00 - 00:00
Friday :	10:00 - 00:00
Saturday :	10:00 - 00:00

Good Friday : 12:00 - 22:30

Christmas Day : 12:00 - 15:00 & 19:00 - 22:30

New Year's Eve : from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day.

**(3) Live Music - Indoors**

Sunday : -

<b>Monday :</b>	<b>09:00 - 23:00</b>
<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:00</b>
<b>Friday :</b>	<b>09:00 - 00:00</b>
<b>Saturday :</b>	<b>09:00 - 00:00</b>
<b>New Year's Eve : from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day.</b>	

**(4) Recorded Music - Indoors**

<b>Sunday :</b>	<b>00:00 - 00:00</b>
<b>Monday :</b>	<b>00:00 - 00:00</b>
<b>Tuesday :</b>	<b>00:00 - 00:00</b>
<b>Wednesday :</b>	<b>00:00 - 00:00</b>
<b>Thursday :</b>	<b>00:00 - 00:00</b>
<b>Friday :</b>	<b>00:00 - 00:00</b>
<b>Saturday :</b>	<b>00:00 - 00:00</b>

**(5) Performance of Dance - Indoors**

<b>Sunday :</b>	<b>-</b>
<b>Monday :</b>	<b>09:00 - 23:00</b>
<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:00</b>
<b>Friday :</b>	<b>09:00 - 00:00</b>
<b>Saturday :</b>	<b>09:00 - 00:00</b>
<b>New Year's Eve : from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day.</b>	

**(6) Facilities for Making Music - Indoors**

<b>Sunday :</b>	<b>-</b>
<b>Monday :</b>	<b>09:00 - 23:00</b>
<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:00</b>
<b>Friday :</b>	<b>09:00 - 00:00</b>
<b>Saturday :</b>	<b>09:00 - 00:00</b>
<b>New Year's Eve : from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day.</b>	

**(7) Facilities for Dancing - Indoors**

<b>Sunday :</b>	<b>-</b>
<b>Monday :</b>	<b>09:00 - 23:00</b>
<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:00</b>
<b>Friday :</b>	<b>09:00 - 00:00</b>
<b>Saturday :</b>	<b>09:00 - 00:00</b>
<b>New Year's Eve : from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day.</b>	

**(8) Late Night Refreshment - Indoors**

<b>Sunday :</b>	<b>-</b>
<b>Monday :</b>	<b>23:00 - 23:30</b>
<b>Tuesday :</b>	<b>23:00 - 23:30</b>
<b>Wednesday :</b>	<b>23:00 - 23:30</b>
<b>Thursday :</b>	<b>23:00 - 00:30</b>
<b>Friday :</b>	<b>23:00 - 00:30</b>
<b>Saturday :</b>	<b>23:00 - 00:30</b>
<b>New Years Eve :</b>	<b>23:00 - 05:00</b>

**Part 2**

**Name and (registered) address of holder of premises licence :**

**Name :** Star Pubs & Bars Limited

**Telephone number :** Not provided

**e-mail :** Not provided

**Address :** 3-4 Broadway Park, South Gyle Broadway,  
Edinburgh, EH12 9JZ

**Registered number of holder (where applicable) :** SC250925

**Name and (registered) address of second holder of premises licence (where applicable) :**

**Name :** Not Applicable

**Telephone number :**

**Address :**

**Name and address of designated premises supervisor (where the licence authorises the supply of alcohol) :**

**Name :** Mr Michael John Kirby

**Telephone number :** Not provided

**e-mail :**

**Address :**

**Personal licence number and issuing authority of personal licence held by designated premises supervisor (where the licence authorises the supply of alcohol) :**

**Personal Licence Number :** [Redacted]

**Issuing Authority :** London Borough of Harrow

Premises Licence LN/200502201 was first granted on 4 October 2005.

**Signed :**



**Date :** 6th November 2017

for and on behalf of the  
London Borough of Enfield  
Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH  
Telephone : 020 8379 3578

## **Annex 1 - Mandatory conditions**

**The Mandatory Conditions are attached and form part of the Operating Schedule of your licence/certificate. You must ensure that the operation of the licensed premises complies with the attached Mandatory Conditions as well as the Conditions in Annex 2 and Annex 3 (if applicable). Failure to do this can lead to prosecution or review of the licence.**

- 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.**

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

**3. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.**

**4. An effective counting system must be used to determine the number of members of the public that are on the premises at any one time.**

**5. A digital CCTV must be installed in the premises complying with the following criteria : (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays and floor areas; (2) 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; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time and place of any image; (7) Provide good quality images - colour during opening times; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (15) Police will have access to images at any reasonable time; (16) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.**

**6. The number of members of the public on the premises at any one time shall not exceed 250.**

- 7. All external doors and windows shall be kept closed whilst live or recorded music is being played. The fire exits in the stage area section must be alarmed or supervised whilst entertainment is in progress to ensure patrons do not open doors unless there is an emergency.**
- 8. Any musical equipment used for entertainment purposes must be connected to a sound system that is operated by the licensee or appointed person from behind the bar area.**
- 9. When regulated entertainment is taking place staff shall carry out noise assessments outside the premises every hour and a record shall be kept of the times, dates and any issues discovered. These records shall be kept for 28 days. Staff shall be trained in the action to take if they believe the premises may be causing a disturbance to local residents. Records shall be made available to an officer of the Council or Police upon request.**
- 10. Staff shall be trained in the action to take in the event of an emergency. All training shall be documented and records kept. This record must be made available to the Police and/or Local Authority upon request.**
- 11. Litter bins and wall mounted ashtrays shall be provided outside the premises.**
- 12. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly.**
- 13. The rear beer garden shall be closed at 23:00. An external area may be designated for the use of smokers from 23:00 until closing time. No alcoholic drinks or glass containers shall be permitted to be taken into the designated smoking area during this time. The designated area shall be adequately supervised to control the number and behaviour of patrons so as not to cause noise nuisance. Notices shall be displayed in the area requiring patrons to respect the needs of local residents and to use the area quietly.**
- 14. Children under the age of 18 shall not be permitted on the premises after 23:00.**
- 15. The premises must operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.**
- 16. All staff must receive induction and refresher training, relating to the sale of alcohol. All training shall be documented and records kept. This record must be made available to the Police and/or Local Authority upon request.**
- 17. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be taken off the premises and consumed in the street.**

18. From 19.00 until close, Thursdays to Saturdays, toilets at the premises shall be checked for any sign of drug use approximately every two hours and a record shall be kept of the times, dates and any issues discovered. These records shall be kept for 28 days.

19. Staff shall be trained in the action to take if they believe customers are taking or selling drugs at the premises and a record shall be kept of the times, dates and issues discovered. Records shall be made available to an officer of the Council or Police upon request.

20. At least 4 prominent, clear and legible notices shall be displayed throughout the premises warning customers that drug use will not be tolerated.

21. There shall be no entry after 23:00.

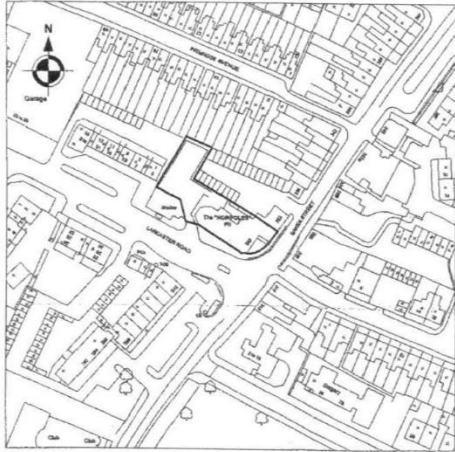
22. There shall be no re-entry after 00:00.

23. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies: (1) He is the child of the holder of the premises licence; (2) He resides in the premises, but is not employed there; (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress; (4) He is in an area shown on the plan attached to the licence where meals and non-alcoholic beverages are available for sale for consumption in that area and he is in the company of a person aged 18 or over. In any case no person under fourteen shall be permitted in the premises after 21:00.

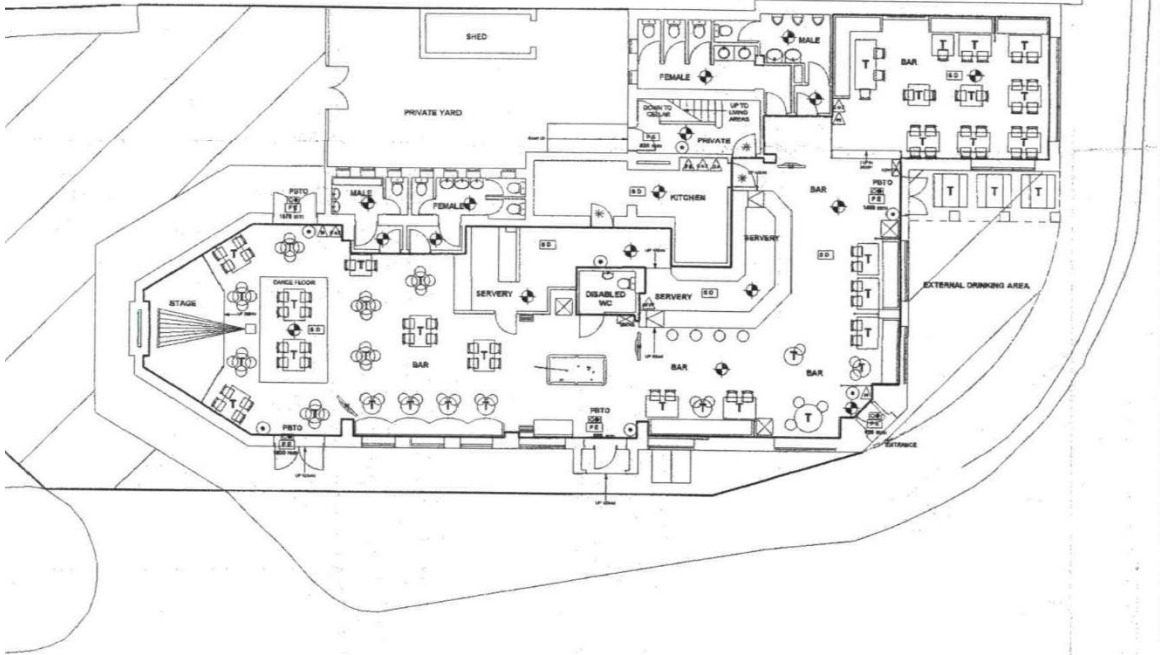
**Annex 3 - Conditions attached after a hearing by the Licensing Authority**

**Not applicable**

Annex 4 – Plans



LOCATION PLAN 1/1250



This Drawing has been prepared for the purposes of accompanying 2003 Licensing Act applications for the areas of the premises illustrated. Site dimensions should be taken for other purposes.



£100  
 RECID  
 24/1/19

9791365947

177506  
 SC017647

**Application to vary a premises licence under the Licensing Act 2003**

**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.

**WE Star Pubs & Bars Limited**

*(Insert name(s) of applicant)*

**Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.**

<b>Premises Licence Number</b> LN/200502201
--

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Hop Poles 320 Baker Street
--

<b>Post Town</b> Enfield	<b>Postcode</b> EN1 3LH
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<b>Telephone number at premises</b>	020 8363 0381
<b>Non-domestic rateable value of premises</b>	£22,500

**Part 2 - Applicant Details**

<b>Daytime contact telephone number</b>	
<b>E-mail address (optional)</b>	
<b>Current postal address if different from premises address</b>	3-4 Broadway Park South Gyle Broadway Edinburgh
<b>Post Town</b> Edinburgh	<b>Postcode</b> EH12 9JZ

LONDON BOROUGH OF ENFIELD  
 RECEIVED  
 24 JAN 2019  
 ENVIRONMENT &  
 COMMUNITY  
 (Email circled)

**Part 3 - Variation**

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

If not do you want the variation to take effect from

Day		Month		Year	
↓	↓	↓	↓	↓	↓

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 read guidance note 1)**

The application proposes to:-

1. Extend the terminal hour for the sale of alcohol on Sunday to Wednesday to midnight and on Friday & Saturday to 02:00 hours the following day
2. Extend the start time for the sale of alcohol on Sunday to start from 10:00 hours
3. Extend the terminal hour for live music on Monday to Wednesday to midnight and on Friday & Saturday to 02:00 hours the following day
4. Permit live music on Sunday from 09:00 hours to midnight
5. Permit late night refreshment on Sunday from 23:00 to 23:30
6. Remove facilities for making music and facilities for dancing as these are no longer licensable activities
7. Remove existing non-standard timings and add non-standard timings
8. Remove all conditions under Annex 2 of the Premises Licence and replace with updated conditions

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

**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 tick yes

- 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

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	No Change	00:00	<u>Please give further details here</u> (please read guidance note 5)  As existing		
Tue	No Change	00:00			
Wed	No Change	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	No Change	No Change			
Fri	No Change	02:00	<u>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</u> (please read guidance note 7)  To add the following non-standard timings:-  New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day  An additional hour to the standard and non-standard times on the day when British Summertime commences		
Sat	No Change	02:00			
Sun	09:00	00:00			

**F – NO CHANGE**

<b>Recorded music</b>			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</b>	Indoors	<input checked="" type="checkbox"/>
<b>Standard days and timings (please read guidance note 8)</b>				Outdoors	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Both</b> <input type="checkbox"/>		
<b>Mon</b>			<b>Please give further details here (please read guidance note 5)</b>		
<b>Tue</b>			<b>Please give further details here (please read guidance note 5)</b>		
<b>Wed</b>			<b>State any seasonal variations for the playing of recorded music (please read guidance note 6)</b>		
<b>Thur</b>			<b>State any seasonal variations for the playing of recorded music (please read guidance note 6)</b>		
<b>Fri</b>			<b>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)</b>		
<b>Sat</b>					
<b>Sun</b>			<b>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)</b>		

G

<b>Performances of dance</b>			<b>Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)</b>	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon	No Change	No Change	<b>Please give further details here (please read guidance note 5)</b>		
Tue	No Change	No Change			
Wed	No Change	No Change	<b>State any seasonal variations for the performance of dance (please read guidance note 6)</b>		
Thur	No Change	No Change			
Fri	No Change	No Change	<b>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 (please read guidance note 7)</b>  To add the following non-standard timings:-  New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day  An additional hour to the standard and non-standard times on the day when British Summertime commences.		
Sat	No Change	No Change			
Sun	No Change	No Change			

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	No Change	No Change	<b><u>Please give further details here</u></b> (please read guidance note 5)  As existing		
Tue	No Change	No Change			
Wed	No Change	No Change			
Thur	No Change	No Change	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Fri	No Change	No Change			
Sat	No Change	No Change			
Sun	23:00	23:30	<b><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></b> (please read guidance note 7)  To add the following non-standard timings:-  New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day  An additional hour to the standard and non-standard times on the day when British Summertime commences.		

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Mon	No Change	00:00			
Tue	No Change	00:00			
Wed	No Change	00:00			
Thur	No Change	No Change			
Fri	No Change	02:00			
Sat	No Change	02:00			
Sun	10:00	00:00	<b>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</b> (please read guidance note 7)		
			To add the following non-standard timings:-		
			New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
			An additional hour to the standard and non-standard times on the day when British Summertime commences.		

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)

N/A



**L – NO CHANGE**

<b>Hours premises are open to the public</b> <b>Standard days and timings (please read guidance note 8)</b>			<b><u>State any seasonal variations</u> (please read guidance note 6)</b>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			<b><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)</b>
Sun			

**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**

**We seek to remove all conditions under Annex 2 of the Premises Licence as these are now either outdated or obsolete and replace with updated and proportionate conditions following pre-consultation and in agreement with both Police and Environmental Health.**

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

**If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below**

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

**N/A**

**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,e) (please read guidance note 11)**

*[The information provided in this box is solely for information only and not intended to be converted into conditions on the Premises Licence]*

Given the changes proposed, we have carefully considered the application, the effect on the licensing objectives and the Council's Licensing Policy. The purpose for seeking later hours for the sale of alcohol and live music would allow our customers to continue their night in a safe and comfortable environment, rather than leave and go to other premises therefore allowing more flexibility around trading.

The new non-standard timings have been added to allow some flexibility around trading on two notable occasions. The additional hour to the standard and non-standard times on the day when British Summertime commences would allow the premises to remain open and trade legally when the clocks change automatically from 01:00 hours on the Sunday morning to 02:00 hours and therefore we do not consider that any further steps will be necessary to promote the licensing objectives should these non-standard timings be granted.

The variation application has also been submitted to update the Premises Licence conditions to ensure that they are suitable for the style of operation. Steps have been taken to ensure that the application and proposed permitted timings will promote the licensing objectives and this includes the addition of new conditions.

The premises are committed to delivering the highest operational standards when trading and the Designated Premises Supervisor (DPS), Mr Michael Kirby, is very experienced in this role and takes his responsibilities under the Licensing Act 2003 very seriously. The Premises Licence Holder are the landlord of the premises and have a tenancy agreement in place with the DPS who they work closely together with in partnership to make the premises successful and an asset to the local community.

Prior to submitting the application, the applicant pre-consulted with both the Police and Licensing Authority on the proposed extension of hours. It was advised that the authorities have no issues with how the premises are currently trading but the best way forward would be for the DPS to lodge a number of Temporary Event Notices (TENs) covering the same days/hours that we have applied for. Following this, the DPS lodged and used seven TENs from Friday 16<sup>th</sup> November 2018 until Sunday 30<sup>th</sup> December 2018 and these do not appear to have caused any issue to the local residents nor had a detrimental effect on the licensing objectives.

Considering the above, we believe that the variation would not have an adverse impact on the licensing objectives and we believe that the measures proposed will ensure the premises continue to promote the licensing objectives, and that these measures are adequate and further conditions are not required.

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

1. Full training shall be provided to all staff on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals – at least every 12 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities
2. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and Trading Standards at all times whilst the premises are open.
3. An incident log shall be maintained at the premises and details of all known incidents recorded within the log. The log shall be kept on the premises for a period of no less than 12 months and shall be produced to an authorised officer on reasonable request.
4. On Friday and Saturday nights there shall be a last entry time of 01:00, the only exception being for those customers who have gone to the designated smoking area to smoke.
5. A minimum of two door supervisors shall be employed on the premises on Friday and Saturday from 21:00 until the premises has closed whenever regulated entertainment is taking place. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance. Door supervisors shall be easily identifiable by either wearing reflective jackets or reflective armbands.
6. At least one door supervisor shall remain directly outside the premises for 30 minutes after the premises have closed to ensure the safe and quiet dispersal of patrons.
7. Where SIA registered door supervisors are used at the premises, a record must be kept of their name, SIA registration number and the dates and times when they are on duty.
8. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Signs will be prominently displayed advising customers that they are being filmed on CCTV. The system will cover all entry and exit points, all of the licensed area and any external seating area. All recordings shall be stored for a minimum period of 28 days with date and time stamping. Viewing of recordings shall be made available upon the request of Police or authorised officer throughout the entire 28 day period.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

**c) Public safety**

*Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.*

**d) The prevention of public nuisance**

10. All external doors and windows shall be kept closed when regulated entertainment is taking place inside the premises, except in the event of an emergency and to permit access & egress.
11. When regulated entertainment is taking place, regular boundary noise checks shall be conducted and any required action shall be taken. Records detailing the sound checks and any required action shall be maintained and retained on the premises.
12. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers to respect the needs of local residents and leave the premises and area quietly.
13. The rear beer garden shall be closed at 23:00. An external area may be designated for the use of smokers from 23:00 until closing time. No alcoholic drinks or glass containers shall be permitted to be taken into the designated smoking area during this time. The designated area shall be adequately supervised so as not to cause a nuisance. Notices shall be displayed in the area requiring patrons to respect the needs of local residents and to use the area quietly.
14. Customers shall not be permitted to remove from the premises any drinks supplied by the premises in open containers unless to an external drinking area set aside for consumption.

**e) The protection of children from harm**

15. Children under the age of 18 years must be accompanied by an adult over the age of 18 years at all times whilst on the premises and must be off the premises by 23:00 hours, unless attending a pre-booked private function.
16. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

**Checklist:**

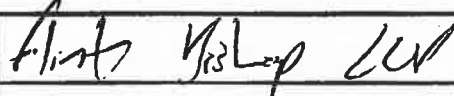
**Please tick to indicate agreement**

- 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 (See guidance note 13). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	24/01/2019
Capacity	Flint Bishop LLP – Solicitors for and on behalf of applicant

**Where the premises licence is jointly held, signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> 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 postal address for correspondence associated with this application (please read guidance note 13)**

George Domleo  
Flint Bishop LLP  
St. Michael's Court  
St. Michael's Lane  
Derby  
DE1 3HQ

Telephone number (if any)	01332 340 211
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**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**  
george.domleo@flintbishop.co.uk

#### Notes for Guidance

**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.**

1. 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 for the late night levy

## Annex 3



### POLICE REPRESENTATION

**Name and address of premises:**      **The Hop Poles  
320 Baker Street  
Enfield  
EN1 3LH**

**Type of Application:**                      **Variation of a Premises Licence**

#### The Application

This is an application to vary the times of the licence and to remove all licensing conditions under Annex 2 and replace with new ones.

Supply of Alcohol	Sun – Thurs 10:00 – 00:00 Fri - Sat 10:00 – 02:00
Live Music	Sun – Thurs 09:00 – 00:00 Fri – Sat 09:00 – 02:00
LNR	Sun 23:00 – 23:30

#### Location

This venue is situated on the corner of a busy community area. There are shops and residential properties surrounding it. There is also a school in the vicinity.

#### History

I have researched Police crime and intelligence systems relating to this venue with a negative result. However, I understand that there have been several noise complaints made to the council and a complaint of illegal gambling made to the gaming commission.

During a licensing visit to the premises with the Licensing Authority the DPS advised that he had been there for 3 years, however, it was established that he had not adhered to the licensing conditions on the premises licence in that time. His reasoning was that he was only supposed to have worked there for 3 weeks but had stayed for 3 years so hadn't got round to keeping records etc. This does

not give the Police great confidence in this male as he is supposedly an experienced publican and should know that he needs to adhere to the conditions at all times.

I have also considered the Licensing Authority's suggestion that not all the TENs that have been applied for have been used so therefore cannot trust the non-receipt of complaints at those times.

I have considered the application and operating schedule proposed and if this application were granted, as requested, the effect could be detrimental to the Licensing objectives.

**In summary I wish to make representation on the following:**

- Prevention of crime & disorder

I am objecting to the end time requested for the sale of alcohol on a Friday and Saturday. This is quite a densely populated residential area and feel that 2am is too late. I would, however, agree to 1am as I feel this to be more appropriate. I am not objecting to the non-standard times applied for.

If this application were granted in full or part, after considering the operating schedule, I would ask that the slight changes to the proposed conditions listed below be made to further promote the licensing objectives and have requested the addition of one more condition.

**Offered condition 3 – change to:-**

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or 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) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any visit by a relevant authority or emergency service

Police are happy that door supervisors have been offered for the Friday and Saturday nights but would ask that all door supervisors be SIA registered, this is not actually offered in the schedule. Therefore,

**Offered condition 5 – change 1<sup>st</sup> line to**

A minimum of two SIA registered door supervisors etc etc



Although CCTV is discussed in the operating schedule, insufficient detail has been provided to ensure its quality and integrity. Police therefore request the changes to ensure quality performance.

**Offered condition 8 and 9 – change to:-**

A digital CCTV system must be installed in the premises complying with the following criteria:

1. Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, floor areas and any outside seating areas.
2. 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.
3. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
4. Provide a linked record of the date, time, and place of any image.
5. Provide good quality images.
6. Operate under existing light levels within and outside the premises.
7. Have the recording device located in a secure area or locked cabinet.
8. Have a monitor to review images and recorded picture quality.
9. Be regularly maintained to ensure continuous quality of image capture and retention.
10. Have signage displayed in the customer area to advise that CCTV is in operation.
11. Digital images must be kept for 28 days.
12. Police or authorised local authority employees will have access to images at any reasonable time.
13. All staff engaged in the sale/supply of alcohol shall be trained to operate the CCTV system and download images/footage upon request by Police or authorised local authority employees.
14. The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Immediate copies must be made available to Police or authorised local authority employees on request.

Add:-

**Public Spaces Protection Order**

Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and that alcohol should not be taken off the premises and consumed in the street.

These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.

.  
If the change of hours and conditions are agreed I would withdraw my representation.

Officer: Karen Staff PC2237NA

Tel: 0208 345 3379

[NAMailbox-.Licensing@met.police.uk](mailto:NAMailbox-.Licensing@met.police.uk)

Date: 21/02/2019

## Annex 4



### LICENSING AUTHORITY REPRESENTATION

This representation is made by Enfield's Licensing Enforcement Team and is made in consultation with and on behalf of the Trading Standards Service (inspectors of Weights & Measures), Planning authority, Health & Safety authority, Environmental Health authority and the Child Protection Board.

I confirm I am authorised to speak at any hearing on behalf of the Licensing authority, Trading Standards Service (inspectors of Weights & Measures), Planning authority, Health & Safety authority, Environmental Health authority, and Child Protection Board).

**Name and address of premises:** Hop Poles Public House  
320 Baker Street  
Enfield  
EN1 3LH

**Type of Application:** New Premises Licence

I certify that I have considered the application shown above and **I wish to make representations** that the likely effect of the grant of the application is detrimental to the Council's Licensing Objectives for the following reasons:

This is a variation application for a public house. The application is for the hours and activities shown below:

Activity	Current Times	Applied for Times
Supply of Alcohol (on and off)	10:00 – 23:00 Mon – Wed 10:00 – 00:00 – Thurs – Sat 12:00 – 22:30 Sun	10:00 – 00:00 Sun – Thurs 10:00 – 02:00 Fri - Sat
Recorded Music	00:00 – 00:00 everyday	No change
Live Music	09:00 – 23:00 Mon – Wed 09:00 – 00:00 Thurs – Sat	09:00 – 00:00 Sun – Thurs 09:00 – 02:00 Fri – Sat
Performance of Dance	09:00 - 23:00 Mon – Wed 09:00 – 00:00Thurs - Sat	No change
Late Night Refreshment	23:00 – 23:00 Mon – Wed 23:00 – 00:30 Fri - Sat	23:00 – 23:30 Sun Rest – no change
Opening hours	00:00 – 00:00 everyday	No change

The application is also to remove the current licence conditions and replace them with new ones.

At the advice of the Licensing Enforcement Team the applicant submitted a number of Temporary Event Notices (TENs) towards the end of 2018 with the intention of 'testing the water' by temporarily extending their hours.

This premises has been licensed for a long time. In 2008 a variation application was submitted to increase the licensed hours. Although a 2am licence was applied for the latest hours granted was 1am on Friday – Saturday. In 2009 a new premises licence holder submitted a variation to reduce the hours back to those currently on the licence and to remove the conditions requiring door supervisors.

### **Premises History in Last 12 Months**

**15<sup>th</sup> April 2018** – 00:25 – Complaint received in relation to loud music since 10pm, customers outside shouting. 00:50 Out of Hours noise officers visited. Very loud music playing in premises, audible 50m down road. Entrance door x2 locked, approximately 12 people inside. Appeared a disco was ongoing. Officers spoke to a female who appeared to be in charge and said it was a private party. Music turned off. Officer left and stayed outside for 10 minutes. Music did not restart.

**5<sup>th</sup> July 2018** – 22:23 – Complaint received in relation to loud music and singing. Anonymous so unable to get further information.

**16<sup>th</sup> November 2018** - 23:45 - 00:25 Out of Hours Licensing Enforcement Officers (EVG/VPK) carried out observations parked in car park opposite pub. Could hear live band inside pub playing loudly, all vocals could be clearly heard with pub door closed and both car doors and windows shut. Bursts of very loud music when pub door opened. Officers entered premises. Band set up with speakers right next to the door. VPK of opinion could be a nuisance to local residents. Spoke to DPS, Mr Michael Kirby. Advised of noise issues. He explained band would normally play in function room, but works being done and not finished on time hence why in pub. VPK observed potential for noise escape from the function room, with old windows. Fire door to rear. Reminded DPS to carry out sound checks and record the checks. Although TEN in place, premises was closing around 00:20 due to short staff.

**17<sup>th</sup> November 2018** - 01:55 Out of Hours Noise Officer observations (CLB) - Premises closed.

**17<sup>th</sup> November 2018** - 23:30 Out of Hours Noise Officer observations (CLB) – Premises open. Lights on but no music audible.

**20<sup>th</sup> November 2018** – Complaint received alleging that every Wednesday night between 03:00 – 05:00am there is loud noise coming from the pub in the form of men arguing. Also alleging that the pub has been operating illegal poker games with alcohol being served up until 05:30am.

**24<sup>th</sup> November 2018** - 00:25 - Out of Hours Noise Officer observations. Premises was open with patrons inside. No music could be heard outside and no anti-social behaviour outside.

**24<sup>th</sup> November 2018** - 22:15 - Out of Hours Noise Officer observations (CLB) - Open but no music event on - all quiet.

**30<sup>th</sup> November 2018** 00:11 – 00:16 - Out of Hours Noise Officer observations (DWD) - 2 people outside on arrival, no music audible even when people coming in and out. Premises very quiet.

**1<sup>st</sup> December 2018** 22:20 Out of Hours Noise Officer observations (CLB) – Observations outside premises. Open but no music events on. No noise or anti-social behaviour. Revisited at 00:25 premises closed.

**14<sup>th</sup> December 2018** - 00:30 Out of Hours Licensing Enforcement Officers (EVG/VPK) carried out observations from car park opposite. Pub still open and customers inside, no sign of live music. Customers were coming and going using all doors, no music escape, no issues.

**15<sup>th</sup> December 2018** Out of Hours Noise Officer observations 00:50 – observations outside premises, open but no music can be heard, no anti-social behaviour. No music could be heard over the traffic noise. 01:00 left.

**16<sup>th</sup> December 2018** 00:29 - Out of Hours Noise Officer observations (PB). Premises closed.

**29<sup>th</sup> December 2018** 00:01 Out of Hours Noise Officer observations (RA). Arrived at premises and parked outside flats 22-23. As officer arrived music (sounded like a live band) could be heard. One person - male standing outside near to doorway/entrance to the premises (black t-shirt and jeans). At 00:05 music ceased. Left location at 00:10.

**31<sup>st</sup> December 2018** – Email from Gambling Commission who have also received a complaint regarding illegal poker events on Wednesdays and also illegal gaming machines. The complainant alleged that the poker 'pots' often escalate to between £2,000 to £3,000 and they usually play until 4.00 am.

**9<sup>th</sup> January 2019** – Letter sent to Premises Licence Holder regarding illegal gambling allegation – **Appendix 1**. To date, no response received.

**11<sup>th</sup> January 2019** – 19:20 – 19:35 Out of Hours Licensing Enforcement Officers (EVG/CPX) entered the premises and spoke to Laura Clarke, DPS away until Thursday. Spoke in function room away from customers, Laura denied poker was played but there were 2 poker tables folded up in there. Advised reason for visit, when asked she said that she did not know how to use the CCTV so unable to check old footage. Three machines on site - photos taken, one had no signage at all despite having £100 jackpot. Noted on inspection report (**Appendix 2**) what was and wasn't on display. Hand delivered advice letter regarding allegations (**Appendix 3**). Requested DPS call Officer (CPX) to arrange full licence inspection.

**22<sup>nd</sup> January 2019** Voicemail from DPS to arrange meeting. Officer called him back and left him a voicemail suggesting Friday 25<sup>th</sup> Jan at 3pm.

**23<sup>rd</sup> January 2019** -Officer phoned DPS and arranged meeting for Thursday 31<sup>st</sup> January 2019 2pm. Officer advised they would have liked it sooner so that some CCTV would still be available to view prior to DPS being made aware of issue. The DPS insisted that the allegations were not true. Officer advised that if he can he should download and save footage from Wednesdays in December to show officers. He said they do play poker but it is within the limits set out in the letter. He said that they play Texas Holdem. 9 people per table, 2 tables. Stake is £5. Prize is £90 pot, 1st - £60, 2nd - £20, 3rd £10. Not done for a profit just to get more people into the premises. He said they are trying to get a later licence so would not be doing anything wrong. He went on to say that there is another nearby premises where he thinks anti-social noise is coming from. He said that he does not keep records of the poker games as it is not a league.

**31<sup>st</sup> January 2019** – 14:04 – 14:49 - Senior Licensing Enforcement Officer (CPX) and Police Licensing Officer (KS) visited the premises and carried out a full licence inspection with the DPS. DPS stated he was only meant to be working there for 3 months and it turned into 3 years which is why a lot of records etc haven't been done but that he is getting a permanent lease in February 2019 so it will all be done by then. Officer (CPX) advised all conditions must be complied with even if he is only there for a day and that if they are not complied with he should not be using the licence. Condition 9 - Sound checks not documented, Condition 10 and 16 - training not documented, Condition 19 - Drug incidents to be recorded, no book set up, Condition 5 - CCTV was upgraded on 24th January 2019. DPS advised that as a result it only goes back as far as then - unable to check footage of alleged poker and after hours. DPS had not downloaded any footage to show Officers. Advised that would have proved it one way or the other. Condition 8 - sound limiter/controller not installed - advised to see if this has been offered in new condition - variation pending and new conditions offered in place of these ones. Requested that evidence of CCTV storing for 31 days be sent to officer (condition in variation states 28 days but current one is 31 days). To date, not received. Officer to send training material and posters to assist with compliance. Two Amusement with Prize Machines on premises - new ones with correct labels and signage on display. Discussed poker allegation with is denied. Advised to keep records in relation to poker to demonstrate limits are not exceeded. KS advised that if it was happening it has to stop now. DPS also concerned that other pubs are not aware of all the poker restrictions – to be raised at next PubWatch meeting. CPX emailed resources to DPS. Inspection Report issued giving 14 days to comply – **(Appendix 4)**.

**08<sup>th</sup> February 2019** – 23:24 Out of Hours Licensing Enforcement Officers (CPX, EVG) parked in carpark opposite premises, car windows open - no passing traffic. Music audible coming from premises. Two men outside smoking. Area quiet, not much passing traffic at this time, couple of cars, a bus, music still audible despite traffic. Live band playing. Drums and vocals on microphone audible. Music coming from direction of side door, so assume music being played in function room. Music stopped at 23:30. Started again a couple of minutes later. 23:36 - 5 people outside smoking. No drinks seen. Current song isn't as loud. 23:38 - 8 people outside. Older crowd, mainly wearing black. 23:40 - 12 people outside. Music audible – Officers are approx. 40m away. With car windows closed music is not audible. Could possibly affect residents in summer months when residents have windows open. Left at 23:43.

**15<sup>th</sup> February 2019** – Senior Licensing Enforcement Officer (CPX) checked the Hop Poles Facebook page to see if the premises actually used the TENs they applied for as the notes detailed above seem to suggest the later licenses were not used. The live music events advertised were all on Friday evenings and were advertised as ceasing at midnight. **(See Appendix 5)**. It therefore appears that the TENs, in regard to music were not used. The purpose of submitting the TENs was so that officers could make a more informed decision as to whether or not permitting the premises to have a later licence would have a negative impact on the local area. If they were not used, the fact that no complaints were submitted means very little and this appears to have been a pointless exercise.

### **Residents**

This premises is located on the corner of Lancaster Road and Baker Street. There are residential properties on both of these roads and also on nearby Primrose Avenue and Canonbury Road.

### **Prevention of Public Nuisance**

The Licensing Authority is concerned that local residents could be disturbed by those arriving at and leaving the premises during the early hours of the morning when ambient sound levels are reduced. The Licensing Authority therefore welcomes the reintroduction of door supervisors at the premises

When officers have carried out observations and live music has been provided it has been audible from the carpark opposite the premises. The Licensing Authority is concerned that residents could be affected by music from the premises, particularly in warmer months when residents are likely to have their windows open and during the early hours of the morning when background noise levels, such as passing traffic, are reduced. The following condition is on the current licence but has not been offered in this variation:

8. Any musical equipment used for entertainment purposes must be connected to a sound system that is operated by the licensee or appointed person from behind the bar area.

The Licensing Authority believes that the noise escape could be mitigated by the addition of conditions.

**I wish to make representation on the following:**

- **Prevention of Crime and Disorder**
- **Protection of Children from Harm**
- **Prevention of Public Nuisance**

The Licensing Authority is concerned about the lack of compliance with the current licence conditions, particularly at a time when this variation application is pending. However, the applicant is applying to remove or amend a number of those conditions as part of this application.

The Licensing Authority welcome the introduction of door staff.

Given the allegations of illegal poker and afterhours alcohol the Licensing Authority would like to see times for recorded music and opening be specified on the licence. This would make it clear to staff, members of the public and responsibly authorities the times during which they can expect the premises to be closed.

Given that this is a residential area the Licensing Authority does not think that this is a suitable premises for a 2am licence and instead recommends times as shown below:

<b>Activity</b>	<b>Applied for Times</b>	<b>Recommended Hours</b>
Supply of Alcohol (on and off)	10:00 – 00:00 Sun – Thurs 10:00 – 02:00 Fri - Sat	10:00 – 00:00 Sun – Thurs 10:00 – 01:00 Fri - Sat
Recorded Music	No change	10:00 – 00:00 Sun – Thurs 10:00 – 01:00 Fri - Sat
Live Music	09:00 – 00:00 Sun – Thurs 09:00 – 02:00 Fri – Sat	09:00 – 00:00 Sun – Thurs 09:00 – 01:00 Fri – Sat
Performance of Dance	No change	No change
Late Night Refreshment	23:00 – 23:30 Sun Rest of week – no change	23:00 – 23:30 Sun Rest of week – no change
Opening hours	No change	10:00 – 00:30 Sun – Thurs 10:00 – 01:30 Fri - Sat

If the licence is granted in full or part the Licensing Authority recommends the following amendments be made to the conditions offered by the applicant in order to fully promote the licensing objectives (numbering correlates to that shown in the application, amendments are shown in bold):

1. Full training shall be provided to all staff on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals - at least every **6** months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities.

2. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and Trading Standards at all times whilst the premises are open. **Records shall be kept at the premises for at least 12 months.**

4. On Friday and Saturday nights there shall be a last entry time of **00:00**, the only exception being for those customers who have gone to the designated smoking area to smoke.

7. Where SIA registered door supervisors are used at the premises, a record must be kept of their name, SIA registration number and the dates and times when they are on duty. **Records shall be kept at the premises for at least 12 months.**

11. When regulated entertainment is taking place, **hourly** boundary noise checks shall be conducted. **Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.** Records detailing the sound checks and any required action shall be maintained and retained on the premises **for at least 12 months.**

16. **The Local Authority or similar** proof of age scheme shall be operated at the premises **and relevant material shall be displayed at the premises.**  
*(a list of the types of ID that can be accepted is now covered by the mandatory conditions)*

The Licensing Authority recommends the following additional conditions be attached to the licence:

- i. A noise-limiting device shall be installed to any amplification equipment in use on the premises. The noise-limiting device shall be maintained in effective working order and set to interrupt the electrical supply to any amplifier should the volume of the music be audible at the perimeter of the premises.
- ii. Prior to the commencement of any live /recorded music staff shall check that all amplified equipment to be used is connected to the noise limiter. Records of these checks shall be documented and records kept for 6 months.
- iii. The noise limiter shall be recalibrated annually to ensure that the music volume does not exceed the level at which a noise nuisance to neighbours will occur. A copy of the calibration certificate shall be kept on the premises and made available to the Police or Council Officer on request.



- iv. All performers/DJs shall use the noise limiter installed and shall sign a document agreeing to connect all amplified equipment to the noise limiter throughout their performance. These documents shall be retained by the premises for 6 months. Performers/DJs shall be briefed prior to events taking place with regard to maximum sound levels.

I reserve the right to provide further information to support this representation.

If the conditions and amended times were accepted in full I WOULD withdraw my representation.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: [charlotte.palmer@enfield.gov.uk](mailto:charlotte.palmer@enfield.gov.uk)

Signed: CPALMER

Date: 18/02/2019

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**Please reply to:** Charlotte Palmer

**E-mail:** Charlotte.palmer@enfield.gov.uk

**Phone:** 0208 379 3965

**Textphone:**

**Fax:**

**My Ref:** WK/218059962

**Your Ref:**

**Date:** 9<sup>th</sup> January 2019

Star Pubs & Bars Limited  
3-4 Broadway Park  
South Gyle Broadway  
Edinburgh  
EH12 9JZ

Dear Sir/Madam

**Poker in an Alcohol Licensed Premises  
Hop Poles Public House, 320 Baker Street, Enfield, EN1 3LH**

I write to you as the Premises Licence Holder of the above-named premises.

Enfield's Licensing Authority have received an allegation that poker is being offered in your premises on Wednesday nights and continues until 05:30 with loud noise coming from people arguing. It is also alleged that alcohol is being served throughout these events. This is beyond the licensed hours.


Although this is only an allegation at this stage I want to advise you that offering licensable activities without the appropriate authorisation is a criminal offence, which on conviction is punishable by an unlimited maximum fine, up to six months imprisonment or both. Such activity could also lead to a review of the premises licence.

In relation to the poker please be aware that there is a maximum value to both the amount that can be staked and the prize that can be offered when playing poker in a pub:

- The maximum stake per player is £5 per game, and the combined stakes for your premises must not exceed £100 per day.
- The maximum prize is £100 per game.
- This maximum includes money, payments in-kind, vouchers, goods, donated items, goody-bags, buy-ins at other poker tournaments and other items which have a value.
- Additionally, you cannot charge a participation fee including, for example, by having entrants pay a compulsory charge for a meal.

**Sarah Cary**  
**Executive Director Place**  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY

[www.enfield.gov.uk](http://www.enfield.gov.uk)

 If you need this document in another language or format contact the service using the details above.

- It is irrelevant whether the charge is said to be voluntary or compulsory. In addition the gaming cannot be linked to gaming in other premises. (I have attached a copy of the Gambling Commission's quick guide which explains the requirements more fully.)

The Gambling Commission has also issued a Code of Practice which explains what a pub is required to do in order to be able to offer poker. In a pub the Designated Premises Supervisor (DPS) is the person responsible for ensuring compliance. The records of poker activity that are required by the Code should be available for inspection.

Failure to comply in full with the limits on stakes and prizes and the code of practice may lead us to remove the exemption which permits poker in your pub (i.e. avoiding the commission of a criminal offence) under the Gambling Act 2005. As the exemption is ultimately reliant on your alcohol licence it may also result in us reviewing that licence.

Please confirm in writing (within 14 days) that you will ensure your premises complies in full with all the requirements set out in this letter.

A copy of this letter has been sent to the Police Licensing Officer, The DPS, and the Gambling Commission.

Yours sincerely

Charlotte Palmer  
Senior Licensing Enforcement Officer

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to [www.enfield.gov.uk/connected](http://www.enfield.gov.uk/connected)

REF: WK/ [REDACTED]

LICN\_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	The Happy Poles	
Premises Address	320 Baker St, EN1 3UH	
Time of Visit:	Start: 19.20	Finish: 19.35

During an inspection of your premises on 11 January 2019, the following was checked:

Part B of Premises Licence displayed? Yes  No

Address & tel no. of PLH & DPS on licence correct? Yes  No  (If incorrect, insert new details below)

Conditions of licence checked? Yes  No

No. of condition not in compliance	Evidence/Advice
	Please can Mr Wilby contact Charlotte to arrange appointment to view CCTV.
Machine 1	Dice, no signage, category, age restriction. "£100 Jackpot". No G.A notice. Supplier details.
Machine 2	Digi Slots, £100 Jackpot, No % return to player.
Machine 3	The Big Box, £100 Jackpot, other notices present. OK.

Any other matter(s) that need addressing: Hand delivered advice letter with poker and gaming machine advice following illegal allegations. 2 x poker tables seen tearing against wall in function room. Laura, who works Wednesdays, stated poker is not played. Laura could not operate CCTV playback.

You are required to have the above matters attended to within 7 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
[REDACTED] on visit:	Signature: [REDACTED]
Print Name: Charlotte Palmer	Print Name & Position: Manager, Laura Clarke
Email/Tel: 0208 379 3965 charlotte.palmer@enfield.gov.uk	Email/Tel: [REDACTED] - Mr Wilby.

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

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**Please reply to:** Charlotte Palmer

**E-mail:** Charlotte.palmer@enfield.gov.uk

**Phone:** 0208 379 3965

**Textphone:**

**Fax:**

**My Ref:** WK/218059962

**Your Ref:**

**Date:** 11<sup>th</sup> January 2019

**Mr Michael John Kirby  
Hop Poles Public House  
320 Baker Street  
Enfield  
EN1 3LH**

Dear Mr Kirby

**Poker in an Alcohol Licensed Premises  
Hop Poles Public House, 320 Baker Street, Enfield, EN1 3LH**

I write to you as the Designated Premises Supervisor of the above-named premises.

Enfield's Licensing Authority have received an allegation that poker is being offered in your premises on Wednesday nights and continues until 05:30 with loud noise coming from people arguing. It is also alleged that alcohol is being served throughout these events. This is beyond the licensed hours.


Although this is only an allegation at this stage I want to advise you that offering licensable activities without the appropriate authorisation is a criminal offence, which on conviction is punishable by an unlimited maximum fine, up to six months imprisonment or both. Such activity could also lead to a review of the premises licence.

In relation to the poker please be aware that there is a maximum value to both the amount that can be staked and the prize that can be offered when playing poker in a pub:

- The maximum stake per player is £5 per game, and the combined stakes for your premises must not exceed £100 per day.
- The maximum prize is £100 per game.
- This maximum includes money, payments in-kind, vouchers, goods, donated items, goody-bags, buy-ins at other poker tournaments and other items which have a value.
- Additionally, you cannot charge a participation fee including, for example, by having entrants pay a compulsory charge for a meal.

**Sarah Cary**  
**Executive Director Place**  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY

[www.enfield.gov.uk](http://www.enfield.gov.uk)

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- It is irrelevant whether the charge is said to be voluntary or compulsory. In addition the gaming cannot be linked to gaming in other premises. (I have attached a copy of the Gambling Commission's quick guide which explains the requirements more fully.)

The Gambling Commission has also issued a Code of Practice which explains what a pub is required to do in order to be able to offer poker. In a pub the Designated Premises Supervisor (DPS) is the person responsible for ensuring compliance. The records of poker activity that are required by the Code should be available for inspection.

Failure to comply in full with the limits on stakes and prizes and the code of practice may lead us to remove the exemption which permits poker in your pub (i.e. avoiding the commission of a criminal offence) under the Gambling Act 2005. As the exemption is ultimately reliant on your alcohol licence it may also result in us reviewing that licence.

Please confirm in writing (within 14 days) that you will ensure your premises complies in full with all the requirements set out in this letter.

A copy of this letter has been sent to the Police Licensing Officer, The Premises Licence Holder and the Gambling Commission.

Yours sincerely

Charlotte Palmer  
Senior Licensing Enforcement Officer

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REF: WK/

LICN\_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Hop Poles Public House	
Premises Address	320 Baker Street, Enfield, EN1 3UH.	
Time of Visit:	Start: 14-04.	Finish: 14-49.

During an inspection of your premises on ....Thurs...31<sup>st</sup>...Jan.....2019....., the following was checked:

Part B of Premises Licence displayed? Yes  No  Part B to be displayed.

Address & tel no. of PLH & DPS on licence correct? Yes  No  (If incorrect, insert new details below)

Conditions of licence checked? Yes  No

No. of condition not in compliance	Evidence/Advice + AWP's.
Cond 9.	full licence inspection + visit to discuss poker allegations - not documented
Cond 10 & 16	No training records.
Cond 19	No record of any drug incidents
C5	CCTV upgraded on 24th Jan 2019 so only goes back to Tues - unable to check December footage
C8	Sound limiter to be installed - see if offered in violation
Please send evidence to show 31 days of CCTV footage when get to that point i.e 31 days after new system installed.	

Any other matter(s) that need addressing: sound checks template

LBE to send incident book, training information, send PSPO poster. Two AWP machines on premises - new machines with all correct signage. Advised to keep records in relation to poker to demonstrate limits are not exceeded.

You are required to have the above matters attended to within 14 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature: [Redacted]	Signature: [Redacted]
Print Name: CHARLOTTE PALMER + PC Staff	Print Name & Position: MICHAEL KIRBY
Email/Tel: Charlotte.palmer@enfield.gov.uk 0208 379 3965	[Redacted]

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

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Images taken from Hop Poles Facebook page on 15<sup>th</sup> Feb 2019.

The image is a screenshot of a Facebook page for 'Hop Poles'. The page header shows the name 'Hop Poles' and a search icon. Below the header is a navigation bar with buttons for 'Like', 'Follow', 'Share', and a menu icon. The main content area features a circular profile picture of a building, the name 'Hop Poles', and the handle '@enfieldhoppoles'. A left-hand navigation menu lists 'Home', 'About', 'Posts', 'Events', 'Photos', 'Videos', 'Community', and 'Info and ads', with a 'Create a Page' button at the bottom. The main post is a shared event titled 'Hop Poles shared an event.' dated '25 December 2018'. The event details are: '\*Past Event\*', 'FRIDAY 28th DECEMBER', 'ROCK CANDY ( Rock Candy )', '\*Glam/Classic/Metal Rock from the 60's to present\*', and '9:30 pm - Midnight... See more'. Below the text is a promotional image for 'ROCK CANDY' with a green neon font and a starburst effect. At the bottom of the image is the URL 'www.facebook.com/rockcandy'. Below the image, the event date is listed as 'FRI, 28 DEC 2018', followed by the event name 'Rock Candy', the location 'Hop Poles · Enfield', and a 'Music' category icon.

**f** Hop Poles 🔍



**Hop Poles**  
@enfieldhoppoles

**Home**  
About  
Posts  
Events  
Photos  
Videos  
Community  
Info and ads

[Create a Page](#)

 Like  Follow  Share 

 **Hop Poles** shared an event.  
16 December 2018 · 🌐

**\*Past Event\***  
**FRIDAY 21st DECEMBER**  
**Tribe Rock-Covers (UFO - LED ZEPPELIN - MOTLEY CRI  
MAIDEN)**  
9:30 pm - Midnight  
**FREE!!**



**FRI, 21 DEC 2018**  
**TRIBE**

 Hop Poles



**Hop Poles**  
@enfieldhoppoles

- Home
- About
- Posts
- Events
- Photos
- Videos
- Community
- Info and ads

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 Like  Follow  Share 

 **Hop Poles** shared an event.  
11 December 2018 · 

\*Past Event\*  
FRIDAY 14th DECEMBER  
The Curfew (Modern/Classic Rock)  
9:30 pm - Midnight  
Free!!

ReaperMusic UK in association with The Hop I



# THE CURFEW

MODERN & CLASSIC R



FOO FIGHTERS - GUN -  
AC/DC - THE KINKS - AU  
THE CULT - THE FRA

FRI, 14 DEC 2018  
**The Curfew**  
Hop Poles · Enfield  
 Music





 Hop Poles  





**Hop Poles**  
@enfieldhoppoles


- Home**
- About
- Posts
- Events
- Photos
- Videos
- Community
- Info and ads

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 Like  Follow  Share 


 **Hop Poles** shared an event.  
4 December 2018 · 





\*Past Event\* (replacement of scheduled act)  
FRIDAY 7th DECEMBER  
BAWLS-OUT (Hard Rock & Metal Covers)  
9:15 pm - Midnight  
Free!!



FRI, 7 DEC 2018  
**Bawls-Out**  
Hop Poles · Enfield

 Hop Poles 





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@enfieldhopoles

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 **Hop Poles** shared an event.  
26 November 2018 · 

**\*Past Event\***  
**FRIDAY 30th NOVEMBER**  
LOUDSHIRTS (Everything from Britney to Metallica)  
\*Featuring Jeff Summers from WEAPON UK  
9:30 pm - Midnight... [See more](#)



The poster is split into two horizontal sections. The top section shows a close-up of a musician's hands playing a guitar on a stage with purple lighting. The bottom section shows a crowd of people at a concert with their hands raised in the air. A large, bold, pink text banner across the middle reads "FRIDAY 30th NOVEMBER".

FRI, 30 NOV 2018  
**LoudShirts**  
Hop Poles · Enfield

 Hop Poles 



**Hop Poles**  
@enfieldhoppoles

- Home**
- About
- Posts
- Events
- Photos
- Videos
- Community
- Info and ads

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 Like  Follow  Share 

 19 November 2018 · 

**\*Past Event\*** For all you 'Grunge' Lovers!  
FRIDAY 23rd NOVEMBER  
STONEGARDEN ( [www.facebook.com/grungerockriff/](http://www.facebook.com/grungerockriff/) )  
9:30 pm - Midnight  
Free!



CLASSIC SONGS FROM THE ICONS OF  
[www.facebook.com/grungerockriff/](http://www.facebook.com/grungerockriff/)  
STONE TEMPLE PILOTS - SOUNDGARDEN  
ALICE IN CHAINS - AUDIOSLASH  
NIRVANA

FRI, 23 NOV 2018  
**Stonegarden**  
Hop Poles · Enfield  
 Music

 5



## Annex 5

### IP1 Representation

07/02/2019

Dear Sirs

I live near to The Hop Poles and have seen that an application for a Premises Licence extension is being made to allow music to be played and alcohol to be sold to 2 am.

This is something that I would like to object to in the strongest possible terms. I feel that if this licence was to be granted, then I and the neighbourhood would suffer from noise, disturbance and anti-social behaviour because of the noise from events and customers arriving/leaving.

This is an area that currently does not have retail or entertainment facilities open this late into the night with the nearby pubs closing at midnight on average.

The local shops and takeaway all close by 11 pm in the evening making this area quiet from this time which make this a nice residential area for families.

There is not the support from the local police for this area to deal with any issue that may occur as a result of the extended opening hours and this will only stretch the police force further.

I have noted point 7 in the licence condition stating all external windows and doors must be kept shut while live music is being played. The establishment is currently in breach of this especially during the summer months.

I feel that the current licence term is adequate for the local area and meets the needs and demands of the customers as well as the local residents.

Yours faithfully

Alexandra Laud

This page is intentionally left blank

## Annex 6

### IP2 Representation

**From:** Valerie Nolan

**Sent:** 09 February 2019 16:11

To whom it may concern,

I am a resident of Canonbury Rd and I am objecting to the application for a license extension for the Hop Poles.

This is a residential area with a mix of families and elderly residents who would be disturbed by loud music until 2am at the weekend.

Midnight is late enough and during the summer months when windows are open and the pub doors are open too it gets very noisy.

There are flats directly opposite as well to whom it would be totally unacceptable.

I sincerely hope that common sense will prevail and that the extension will not be granted.

Regards

Valerie Nolan

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## Annex 7

### IP3 Representation

**From:** IP3

**Sent:** 21 February 2019 12:31

Dear Enfield Council Licensing Team,

My partner and I have heard via neighbours that the pub, the Hop Poles at 320 Baker St, a couple of hundred metres from our home, XXXXX Canonbury Rd, has applied for a variation in its licence to extend opening times in order to supply alcohol, late night refreshment, performance of dance, and live music on Saturdays and Sundays beyond its current time of midnight and as late as 2.00am. We are horrified at the thought of the application being granted and we wish to submit our objection.

We in the neighbourhood, that is the densely populated area of mainly terraced houses, and flats immediately around the Hop Poles pub (Primrose Ave, Rosemary Av, Kenilworth Cresc, Canonbury Rd, Priors Mead, Tenniswood Rd, Weardale Gdns, Lavender Rd, Lancaster Rd, and Baker St) already put up with the noise nuisance caused by the pub having a late licence until 12.00 on Saturdays and Sundays, especially during the many months of warmer weather when we have to have our windows open when in bed at night. The music itself can often be heard coming from the pub, particularly the constant thump, thump of any bass, and then there is the noise of the patrons leaving from 11ish onwards after a few drinks, often in small groups, talking, laughing loudly, sometimes shouting while walking past our homes. (The police have attended the corner of Priors Mead/Canonbury Rd to break up noisy arguments/fights following a late night session at the Hop Poles.) Then there is the slamming of car doors belonging to vehicles inevitably parked outside our houses and in our streets because there is insufficient space in the pub car park, and the driving off noisily.

To inflict this noise nuisance on us even further into the early hours of the morning, possibly every week end, by granting the Hop Poles an extended licence would be extremely unreasonable.

We residents of this part of Enfield already have to contend with the noise nuisance of another SEVEN pubs within a kilometre of the Hop Poles (not including those in Enfield Town) None of these seven pubs are allowed to serve drink or play music much beyond midnight. And several of these pubs, which happen to be located in the Local Heritage residential area - Cricketers, Crown and Horseshoes, Moon Under the Water - are not allowed to cause noise nuisance beyond 11 pm.

Additionally, Enfield Town is already served by several late night drinking, dancing and music venues in its town centre, where the surrounding buildings are largely commercial and sparsely populated, so that noise nuisance has much less of an impact. Adding the Hop Poles to this list would be an anomaly.

Taken on its own, the above in itself should be sufficient to support our objection to an extension of the Hop Poles license, but sadly it should also be looked at in the context of the already existing anti-social living conditions in and around Canonbury Road: as well as dealing with the existing Hop Poles licencing hours, we have to contend with extremely heavy traffic volumes (including two major - W8 and 191- bus routes at the junction of Baker Street and Lancaster Road, causing noise and horrendous air pollution; noise pollution from rat-running traffic in Canonbury and Tenniswood Roads; noise from sports cars from Yiannimize on Baker Street revving and speeding; noise and pollution from drivers parking and dropping off at the 12 hours per day walk-in NHS Hub in Tenniswood Rd; noise and pollution from drivers parking and dropping off at the local schools, particularly Chace secondary school whose playing field is just at the back of Canonbury Rd; the noise of several hundred school children letting off steam in their break time; the noise when these children leave school and walk down Canonbury Rd, and then join pupils from other nearby schools to congregate at the bus stops on Lancaster Rd. (The problem of extensive litter in the street dropped by school children and occasional fly tipping in Priors Mead is for another day!) We are also dreading the several months of noise pollution that will shortly start 50 metres from our front door with major building work on a 'four-new-homes' project.

It does not help that I suffer from a chronic neurological illness and have to spend most if not all of my day at home and sitting in the garden on a mild day sometimes becomes intolerable because of the noise. Plus I suffer from several sleep disorders, so that when the bedroom window is open, on some days even the noise of very early morning traffic on the M25 will wake me up. Having extended licencing hours at the Hop Poles pub would make it even more difficult to get a reasonable nights sleep.

We urge the Council to please decline the Hop Poles' application for a variation in its licence.

Thank you for taking our views into consideration.  
Yours faithfully,

IP3

## Annex 8

### IP4 - Supporting Representation

**Sent:** 06 February 2019 13:13

**To:** Licensing <[Licensing@enfield.gov.uk](mailto:Licensing@enfield.gov.uk)>

**Subject:** Premises Licence - Hop Poles

Dear Licensing Team,

As a resident local to the Hop Poles I would like to express my support for the variation to the premises licence to 2am. At a time when many pubs are closing in London and across the country, it is refreshing to see a pub business prospering. This should be supported by the Council.

Regards  
Neil Cleary

xxxxx Canonbury Road

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## Annex 9

### Proposed Conditions arising from Application

#### Annex 1 - Mandatory Conditions

**The Mandatory Conditions are attached and form part of the Operating Schedule of your licence/certificate. You must ensure that the operation of the licensed premises complies with the attached Mandatory Conditions as well as the Conditions in Annex 2 and Annex 3 (if applicable). Failure to do this can lead to prosecution or review of the licence.**

#### Annex 2 - Conditions consistent with the Operating Schedule

There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.

##### **Offered by Applicant:**

1. Full training shall be provided to all staff on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals - at least every 12 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities.

##### **Licensing Authority request condition be changed to:**

- 1a. Full training shall be provided to all staff on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals - at least every **6** months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities.

##### **Offered by Applicant:**

2. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and Trading Standards at all times whilst the premises are open.

##### **Licensing Authority request condition be changed to:**

- 2a. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and Trading Standards at all times whilst the premises are open. **Records shall be kept at the premises for at least 12 months.**

**Offered by Applicant:**

3. An incident log shall be maintained at the premises and details of all known incidents recorded within the log. The log shall be kept on the premises for a period of no less than 12 months and shall be produced to an authorised officer on reasonable request.

**Metropolitan Police request condition be changed to:**

- 3a. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or 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) any faults in the CCTV system or searching equipment or scanning equipment
  - (f) any visit by a relevant authority or emergency service

**Offered by Applicant:**

4. On Friday and Saturday nights there shall be a last entry time of **01:00**, the only exception being for those customers who have gone to the designated smoking area to smoke.

**Licensing Authority request condition be changed to:**

- 4a. On Friday and Saturday nights there shall be a last entry time of **00:00**, the only exception being for those customers who have gone to the designated smoking area to smoke.

**Offered by Applicant:**

5. A minimum of two door supervisors shall be employed on the premises on Friday and Saturday from 21:00 until the premises has closed whenever regulated entertainment is taking place. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance. Door supervisors shall be easily identifiable by either wearing reflective jackets or reflective armbands.

**Metropolitan Police request condition be changed to:**

- 5a. A minimum of two SIA registered door supervisors shall be employed on the premises on Friday and Saturday from 21:00 until the premises has closed whenever regulated entertainment is taking place. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance. Door supervisors shall be easily identifiable by either wearing reflective jackets or reflective armbands.

**Offered by Applicant:**

6. At least one door supervisor shall remain directly outside the premises for 30 minutes after the premises have closed to ensure the safe and quiet dispersal of patrons.

**Offered by Applicant:**

7. Where SIA registered door supervisors are used at the premises, a record must be kept of their name, SIA registration number and the dates and times when they are on duty.

**Licensing Authority request condition be changed to:**

- 7a. Where SIA registered door supervisors are used at the premises, a record must be kept of their name, SIA registration number and the dates and times when they are on duty. **Records shall be kept at the premises for at least 12 months.**

**Offered by Applicant:**

8. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Signs will be prominently displayed advising customers that they are being filmed on CCTV. The system will cover all entry and exit points, all of the licensed area and any external seating area. All recordings shall be stored for a minimum period of 28 days with date and time stamping. Viewing of recordings shall be made available upon the request of Police or authorised officer throughout the entire 28 day period.

**Offered by Applicant:**

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV or data with the absolute minimum of delay when requested.

**Metropolitan Police request conditions 8 and 8 be deleted and changed to:**

- 8a. A digital CCTV system must be installed in the premises complying with the following criteria:
- (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, floor areas and any outside seating areas.
  - (2) 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.
  - (3) Cameras overlooking floor areas should be wide angled to give an overview of the premises.
  - (4) Provide a linked record of the date, time, and place of any image.
  - (5) Provide good quality images.
  - (6) Operate under existing light levels within and outside the premises.
  - (7) Have the recording device located in a secure area or locked cabinet.
  - (8) Have a monitor to review images and recorded picture quality.
  - (9) Be regularly maintained to ensure continuous quality of image capture and retention.
  - (10) Have signage displayed in the customer area to advise that CCTV is in operation.
  - (11) Digital images must be kept for 28 days.
  - (12) Police or authorised local authority employees will have access to images at any reasonable time.
  - (13) All staff engaged in the sale/supply of alcohol shall be trained to operate the CCTV system and download images/footage upon request by Police or authorised local authority employees.

- (14) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Immediate copies must be made available to Police or authorised local authority employees on request.

**Offered by Applicant:**

10. All external doors and windows shall be kept closed when regulated entertainment is taking place inside the premises, except in the event of an emergency and to permit access and egress.

**Offered by Applicant:**

11. When regulated entertainment is taking place, regular boundary noise checks shall be conducted and any required action shall be taken. Records detailing the sound checks and any required action shall be maintained and retained on the premises.

**Licensing Authority request condition be changed to:**

- 11a. When regulated entertainment is taking place, **hourly** boundary noise checks shall be conducted. **Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.** Records detailing the sound checks and any required action shall be maintained and retained on the premises **for at least 12 months.**

**Offered by Applicant:**

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

**Offered by Applicant:**

13. The rear brer garden shall be closed at 23:00. An external area may be designated for the use of smokers from 23:00 until closing time. No alcoholic drinks or glass containers shall be permitted to be taken into the designated smoking area during this time. The designated area shall be adequately supervised so as not to cause a nuisance. Notices shall be displayed in the area requiring patrons to respect the needs of local residents and to use the area quietly.

**Offered by Applicant:**

14. Customers shall not be permitted to remove from the premises any drinks supplied by the premises in open containers unless to an external drinking area set aside for consumption.

**Offered by Applicant:**

15. Children under the age of 18 years must be accompanied by an adult over the age of 18 years at all times whilst on the premises and must be off the premises by 23:00 hours, unless attending a pre-booked private function.

**Offered by Applicant:**

16. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification

cards, such as a driving licence, passport or proof of age card with the PASSc Hologram.

**Licensing Authority request condition be changed to:**

16a. **The Local Authority or similar** proof of age scheme shall be operated at the premises **and relevant material shall be displayed at the premises.**

**The Metropolitan Police recommends the following additional condition be attached to the licence:**

17. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.

**The Licensing Authority recommends the following additional conditions be attached to the licence:**

18. A noise-limiting device shall be installed to any amplification equipment in use on the premises. The noise-limiting device shall be maintained in effective working order and set to interrupt the electrical supply to any amplifier should the volume of the music be audible at the perimeter of the premises.

**Offered by Applicant:**

19. Prior to the commencement of any live /recorded music staff shall check that all amplified equipment to be used is connected to the noise limiter. Records of these checks shall be documented and records kept for 6 months.

**Offered by Applicant:**

20. The noise limiter shall be recalibrated annually to ensure that the music volume does not exceed the level at which a noise nuisance to neighbours will occur. A copy of the calibration certificate shall be kept on the premises and made available to the Police or Council Officer on request.

**Offered by Applicant:**

21. All performers/DJs shall use the noise limiter installed and shall sign a document agreeing to connect all amplified equipment to the noise limiter throughout their performance. These documents shall be retained by the premises for 6 months. Performers/DJs shall be briefed prior to events taking place with regard to maximum sound levels.

**Annex 3 - Conditions attached after a hearing by the Licensing Authority**

**Not applicable**

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**LICENSING SUB-COMMITTEE - 12.9.2018****MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON WEDNESDAY, 12 SEPTEMBER 2018****COUNCILLORS**

**PRESENT** (Chair) George Savva MBE, Derek Levy and Jim Steven

**ABSENT**

**OFFICERS:** Ellie Green (Principal Licensing Officer), Victor Ktorakis (Trading Standards Service), PC Martyn Fisher (Metropolitan Police Service), Antonia Makanjuola (Legal Services Representative), Jane Creer (Democratic Services)

**Also Attending:** Mr Pirnazar Jorayev, applicant and Mr Graham Hopkins, GT Licensing Consultants  
Also 1 officer and 1 councillor attending to observe

**716****ELECTION OF CHAIR**

The committee secretary opened the meeting and asked for nominations of the position of chair.

Councillor Levy moved and Councillor Steven seconded the proposal that Councillor Savva be chair for this meeting.

This was agreed.

**717****WELCOME AND APOLOGIES FOR ABSENCE**

Councillor Savva as Chair welcomed all those present and explained the order of the meeting. There were no apologies for absence.

**718****DECLARATION OF INTERESTS**

There were no declarations of interest.

**719**

LICENSING SUB-COMMITTEE - 12.9.2018

**THE LINCOLN ARMS, PUBLIC HOUSE, 155 PERCIVAL ROAD, ENFIELD, EN1 1QT (REPORT NO. 69) N.B. APPLICATION NOW WITHDRAWN**

NOTED that this application had been withdrawn and was therefore not considered at the meeting.

**720**

**AMBROSIA RESTAURANT, 10 STATION ROAD, WINCHMORE HILL, LONDON, N21 3RB (REPORT NO. 70)**

RECEIVED the application made by Mr Pirnazar Jorayev for a variation of a premises licence at the premises known as and situated at Ambrosia Restaurant, 10 Station Road, Winchmore Hill, London, N21 3RB.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
  - a. This restaurant was on the edge of a commercial parade in Winchmore Hill on a busy residential road. The premises had been a restaurant since before 2005.
  - b. The application sought a modification to conditions, to amend the plan, to amend seasonal variations, and increase licensable times on Sunday to match the rest of the week.
  - c. Three representations were received: from the Police, the Licensing Authority, and from a local resident, referred to as IP1. The responsible authorities did not object to the plans or timings, but not all proposed conditions had been agreed. Representations were based on all four licensing objectives. IP1 objected to the application in its entirety. IP1 was not in attendance, but the written representation was set out in Annex 5.
  - d. The Licensing Team had received two identical letters in support of the application, but the writers did not confirm these could be included in the report. It was noted that both letters incorrectly stated there would be no increase in licensable activity hours.
  - e. The applicant had agreed most of the proposed conditions as set out in Annex 6 version 2. The only proposed conditions not agreed were numbers 1, 2 and 19, and it was recommended to add proposed conditions 22 to 24.
2. The statement of Victor Ktorakis, Trading Standards Service, including:
  - a. The Licensing Authority was pleased that the majority of the proposed conditions were agreed, but conditions 1, 2 and 19 were considered appropriate to prevent public nuisance.



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- b. A terminal hour no later than 22:00 for use of the outside areas was recommended because this was a residential road with residential properties close by. Allowing people to sit outside until 23:30 could lead to noise disturbance to local residents at a time when ambient noise was lower. A 22:00 cut off time would be more appropriate.
  - c. Proposed condition 19 was part of the current licence, but the applicant wished it to be removed. The premises was a restaurant and sale of alcohol was only with table meals. The applicant had offered an alternative condition. The Licensing Authority had concerns that this could lead to the premises trading as a bar rather than a restaurant to 00:30. This would require a change in planning use to trade legally. The Licensing Authority was already concerned that residents could be disturbed and this could be worse if customers were allowed to consume alcohol without food.
  - d. The proposed conditions 22 to 24 offered by the applicant did not change the views of the Licensing Authority that alcohol should only be served with a meal, and that the outside area should not be used after 22:00. The offer of having a door supervisor on duty only reinforced the officers' opinion that the premises wanted to trade as a bar.
  - e. The Licensing Authority had no objection to proposed conditions 23 or 24, and would suggest that signage could also set out the times of use and the capacity limit of the terraces.
3. Victor Ktorakis on behalf of the Licensing Authority responded to questions including the following:
- a. In response to Members' queries about the reasons for believing the premises wanted to operate as a bar, it was advised that extending the times and allowing people to just come in for a drink opened this premises up to being a bar. The signage outside also included the words 'wine bar'.
  - b. In response to queries regarding the pub opposite, it was confirmed that the On Broadway pub closed at 01:30 Friday and Saturday with last sale of alcohol at 00:30. No more than ten people at a time were permitted to use the pub's smoking area from 21:00 to closing time, which was at the front of the pub on Green Lanes itself.
  - c. It was advised that the recommendation to limit use of this premises' smoking area to no more than five people at a time was related to its likelihood of causing a noise nuisance due to the proximity to residential premises.
  - d. It was confirmed that the Licensing Authority had recorded no issues in the past regarding breach of the extant licence or of this applicant's ability to operate a licence.
  - e. It was confirmed that the Police agreed with everything stated by the Licensing Authority and in particular that the terraces should not be used after 22:00.
4. The statement of Graham Hopkins, licensing consultant, on behalf of the applicant, including:

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- a. Mr Pirnazar Jorayev had owned this premises since 2016. He had nine years' experience in the restaurant business and had held a personal licence for four years. He had two other premises in Leytonstone.
- b. The premises' customer base was generally over thirties, and pricing was used as a tool to attract a certain level of customer and to deter irresponsible drinking. This was not going to change in the future. The premises was well laid out as a restaurant and offered a full menu.
- c. It was understood that an application for planning consent would be needed in respect of the terraces and change of use.
- d. The applicant was happy to agree to the majority of the proposed conditions, and the focus was on only two areas of contention.
- e. IP1 was not present, but a large part of their representation referred to the pub across the road rather than noise from this premises. If a grant of this application led to any problems, there was an opportunity for review.
- f. The application was demand-led. Half an hour between last supply of alcohol and closing hour was more normal and allowed customers to finish in an orderly manner and leave quietly.
- g. The applicant would like the freedom to choose to keep the terraces open to 23:30. He had been to see the residents who lived immediately behind the premises, and they had had no objections. Only one resident had objected. This was the reason that an additional condition was offered of employing a door supervisor to aid dispersal of customers and there would be a written dispersal policy. The instructions of a door supervisor would carry greater weight.
- h. The applicant did not want to turn the premises into a bar, but it would be more like a French-style café bar. Use of toughened glass would be a safety measure, and no bottles would be permitted on the terraces. Signage and door supervisors would assist with ensuring people dispersed quietly. On weekdays there would be a staff member acting as 'meeter and greeter' who would remind customers not to cause noise, and there would also be monitoring by CCTV. There had been customer demand to use the terraces during the recent hot weather; and it was accepted this use must be closely monitored. They did not want to disturb the neighbours.
- i. The Police criminal intelligence was negative. The premises had a clean record. This suggested that the evidence was not there to say that the terraces' use would cause nuisance: were it to, appropriate measures could be taken.
- j. People frequently asked if they could just have a drink at the premises, and when refused they would cross the road to the pub. It would be better to keep the customers at Ambrosia, to let them enjoy a drink on their way home. The applicant wanted the freedom to operate the business the best he could, and to not lose potential customers. There would be no 'vertical drinking': there would be table service only.
- k. The terraces could seat 10 people at the front and 20 at the rear, which would increase the premises' capacity from 60 to 90. The neighbours had not raised concerns. The applicant also wished to run his business

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successfully. In respect of two complaints, in 2016 and 2017, nothing was substantiated. At that time there was live music occasionally. There had been nothing reported this year.

- l. The training records were available. All signage was correctly displayed. The premises had a refusals book.
  - m. There was no evidence that use of the terraces would cause noise nuisance. This was a well run venue. The Police agreed that the restaurant operated successfully. This honest application was better than using Temporary Event Notices. If complaints were received from residents, those would be addressed. Neighbouring residents were also the restaurant's customers. The robust conditions and the proposed additional measures including employing door supervisors for authority would ensure customers did not cause noise disturbance.
  - n. It was emphasised that if the variation was granted, customers would still have to be seated to be served alcohol by staff. The smoking area use would also be limited to a maximum of five users at a time, and only until 23:30.
5. The applicant and their representative responded to questions, including:
- a. In response to Members' queries about current use of the terrace areas, it was confirmed that the rear outdoor area was not used already; customers went outside to the front to smoke, but the rear was closed. The front was primarily a smoking area, and it was acknowledged that planning permission would be required for restaurant use of the terraces. The decision to apply for the licence variation before applying for planning permission was purely due to cost, but the applicant had instructed a planning consultant and plans had been drafted.
  - b. In response to queries regarding the licensing objective to prevent public nuisance, it was confirmed that the preventative measures were the offer to employ door supervisors, the prominent signage, well trained staff, and CCTV. The applicant still wanted to use the terraces later than 22:00 as customers wanted to sit outside when the weather was warm. He had consulted the neighbours and they did not object; and if there were complaints the terraces would be closed. The door supervisors would patrol the terraces and would have greater authority than general members of staff.
  - c. In response to further queries from the Chair, it was confirmed that the responsible authorities had no objections to the increase in hours sought, but that a local resident had: IP1 objected to the application in its entirety.
  - d. In response to Members' suggestions, further instruction was taken from the applicant and he was prepared to reduce the time sought for use of the terraces to a terminal hour of 23:00.
  - e. In response to queries from PC Fisher, it was advised that the total number of covers would be 10 on the front terrace, 20 on the rear terrace and 60 in the restaurant itself. There was no evidence either

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- way about noise nuisance. The numbers of customers in different areas was the reason the door supervisors would patrol the terraces.
- f. Victor Ktorakis asked whether there was an intention to use the terraces for any other purposes, such as shisha. It was confirmed the applicant only wished to serve food and drink on the terraces and that there would be no music outside. It was advised that the applicant had long term plans with this premises, where he was the owner, manager and DPS.
  - g. The applicant was asked whether in his experience he had seen door supervisors being able to adequately control people who were drinking by asking them to be quiet. It was advised that the managers would also control, and that there would be enough people to maintain control. The customers from this locality were not likely to be shouting, and would follow instruction if told to quieten. They had never had any customers causing nuisance issues. The customers were usually local people over 30 and not noisy youngsters or customers moving over from the pub opposite. The restaurant wanted to meet their customers' demands, for example to have wine or cocktails with nibbles rather than a full meal: at the moment this could not be offered and custom was lost. The staff would be able to maintain control.
6. The closing statement of Ellie Green, Principal Licensing Officer, including:
    - a. If minded to amend conditions, Members' attention was drawn to section 16 b) of the application form, and the applicant's paragraph in the operating schedule that 'Customers will be permitted to have an alcoholic drink without having to have a table meal but all customers must be seated at a table, with service by waiting staff only. A substantial food offer will be available until 22:00 daily.'
    - b. Having heard and read all representations from all parties, it was for the Licensing Sub Committee to consider if the application was appropriate and in support of the licensing objectives, and take such steps as set out in para. 5.8 of the officers' report.
    - c. To assist Members, the relevant guidance and policies were set out in para 5.3 of the officers' report.
  7. The closing statement of Victor Ktorakis, Trading Standards Service, that he had heard nothing that persuaded him to change his representation, and that the Licensing Authority remained concerned that the premises would like to operate as a bar.
  8. The closing statement of PC Martyn Fisher, Metropolitan Police Service, that his objections remained in respect of public nuisance. He had heard nothing to satisfy him that noise nuisance would not be committed, and door supervisors would not be able to mitigate that issue. He would wish the requirement for alcohol to be served only with a table meal to stay, as in his experience people would stand at a bar.

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9. The closing statement of Graham Hopkins, licensing consultant, on behalf of the applicant, that they still asked that proposed conditions 1 and 19 not be imposed so as to maximise business flexibility so customers were not lost now and in the future. There would be two door supervisors on Thursday, Friday and Saturday nights. The Sub Committee were also asked to consider granting use of the terrace area until 23:00.

RESOLVED that

1. In accordance with the principles of Section 100(a) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Act.

The Panel retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.

2. The Chairman made the following statement:

“Having heard all the submissions both oral and written, the panel has resolved to agree the variation of the licence in part as follows: to impose Conditions 1 and 2; withdraw Conditions 19 and 22; and applying Conditions 23 and 24 as agreed in Annex 6 Version 2 and hours as sought.

We have reached this decision as we were sufficiently persuaded by the applicant’s case that drinks could be served without a substantive meal.

However the Licensing Authority in respect of the prevention of public nuisance made the case sufficiently to persuade the panel to impose new Conditions 1 and 2 without amendment.”

3. The Licensing Sub-Committee resolved to grant the variation of a premises licence in part:
  - (i) To update the plan which will also include the front and rear terraces;
  - (ii) To amend seasonal variations;
  - (iii) To increase licensable times as sought by the variation;
  - (iv) To modify conditions to those as set out in Annex 6 v2 of the report, with the removal of proposed conditions 19 and 22.

**721**  
**MINUTES OF PREVIOUS MEETING**

**LICENSING SUB-COMMITTEE - 12.9.2018**

RECEIVED the minutes of the meetings held on Wednesday 11 July 2018 and Wednesday 8 August 2018.

**AGREED** that the minutes of the meetings held on Wednesday 11 July 2018 and Wednesday 8 August 2018 be confirmed and signed by the Chair as a correct record.