

Public Document Pack



LICENSING SUB-COMMITTEE

Wednesday, 22 January 2020 at 10.00 am
Council Chamber, Civic Centre, Silver Street,
Enfield, EN1 3XA

Contact: Jane Creer
Committee Secretary
Direct : 020-8132-1211
Tel: 020-8379-1000
Ext: 1211
E-mail: jane.creer@enfield.gov.uk
Council website: www.enfield.gov.uk

Councillors : Chris Bond (Chair), Mahym Bedekova 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. EURO INTERNATIONAL, 212-214 CHASE SIDE, ENFIELD EN2 0QX (REPORT NO. 187) (Pages 1 - 42)

Application for a new premises licence.

4. FRESH FOOD CENTRE, 220-222 HERTFORD ROAD, ENFIELD EN3 5BH (REPORT NO. 188) (Pages 43 - 84)

Application for a new premises licence.

5. MINUTES OF PREVIOUS MEETING (Pages 85 - 92)

To receive and agree the minutes of the meeting held on Wednesday 18 December 2019.

6. 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)

**MUNICIPAL YEAR 2019/20 REPORT
NO.187**

COMMITTEE:
Licensing Sub-Committee
22 January 2020

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
<p>SUBJECT: Application for a New Premises Licence</p> <p>PREMISES: EURO INTERNATIONAL, 212-214 CHASE SIDE, ENFIELD, EN2 0QX.</p> <p>WARD: Chase</p>	

1 LICENSING HISTORY:

- 1.1 Mr Ali Arslan was named as the Premises Licence Holder on premises licence (LN/200500647) since 11 July 2007. The licence had previously been issued to Rasu Enterprise Ltd following a conversion.
- 1.2 The named Designated Premises Supervisor (DPS) at this time was also Mr Ali Arslan, who held this position between 1 August 2005 and 10 August 2015.
- 1.3 On 7 May 2010, Trading Standards submitted a review of the licence in response to the large number of complaints alleging underage sales that had been received. Trading Standards sought to modify conditions of the licence, which was granted by the Licensing Sub-Committee on 23 August 2010.
- 1.4 On 21 August 2015, a transfer application was granted naming Mr Ali Serbet as the premises licence holder. This application was not subject to any representations.
- 1.5 On 25 August, a vary DPS application was granted naming Mr Ali Serbet as the new DPS. This application was not subject to any representations.
- 1.6 On 18 March 2016 an application was made by the Licensing Authority for the review of Premises Licence LN/200500647.
- 1.7 The review application related to the prevention of crime and disorder licensing objective and was made because the premises were found to be selling non-duty paid alcohol and tobacco, selling after the licensed hours on four occasions, breaching licence conditions and trading with an inaccurate plan attached to the premises licence, since July 2015.
- 1.8 On 27 April 2016, the Licensing Sub-Committee considered that it was appropriate, for the promotion of the licensing objectives, to revoke Premises Licence LN/200500647. The Decision Notice from this hearing is produced in Annex 1.

1.9 On 22 June 2016, a new application, subject to representations, was granted premises licence LN/201600266, naming Mr Haci Siringul as the premises licence holder and DPS. The Decision Notice from this hearing is produced as Annex 2.

1.10 On 7 September 2018, a transfer and a vary DPS application were granted naming Mr Hikmet Samsun as the premises licence holder and DPS. This application was not subject to any representations.

1.11 On 19 October 2019, Mr Samsun surrendered premises licence LN/201600266.

2.0 THIS APPLICATION:

2.1 On 31 October 2019 an application was made by Mr Ali Serbet for a new premises licence.

2.2 Mr Serbet is the same as the individual as mentioned in paragraphs 1.4 to 1.8 above.

2.3 The proposed Designated Premises Supervisor is also Mr Serbet.

2.4 The application seeks:

Activity	Times originally sought by new application	Timings of previous licence LN/201600266
Opening hours	06:30 to 00:00 (midnight) daily	06:30 to 00:00 (midnight) daily
Supply of alcohol (off sales)	08:00 to 00:00 (midnight) daily	08:00 to 00:00 (midnight) daily

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

2.6 A copy of the application is attached as Annex 3.

2.7 Mr Serbet attended the Licensing Sub-Committee hearing on 18 December 2019, where he requested an adjournment so that he could seek legal advice to attend the hearing. This request was granted.

3.0 RELEVANT REPRESENTATIONS:

3.1 **The Licensing Authority and Metropolitan Police:** Representations have been made, objecting to the application in its entirety, based on the prevention of crime and disorder licensing objective.

- 3.2 The Licensing Authority's representation and additional representation is attached as Annex 4.
- 3.3 The Metropolitan Police's representation is attached as Annex 5.
- 3.4 Mr Serbet has provided a written response to the representations, which is produced as Annex 6.

4.0 PROPOSED LICENCE CONDITIONS:

- 4.1 Although the Licensing Authority has objected to the grant of this new application, should the licensing sub-committee be minded to grant the licence, they would like conditions to be attached to the licence. The conditions arising from this application are attached as Annex 7. The applicant has agreed all the conditions.

5.0 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].

Determining actions that are appropriate for the promotion of the licensing objectives

- 5.7 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. [Guid 9.42]
- 5.8 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. [Guid 9.43]
- 5.9 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination. [Guid 9.44]

Review (for background information for previous review applications):

- 5.10 In reviewing a licence, the Licensing Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information [Pol s.10.3].
- 5.11 A number of reviews may arise in connection with crime that is not directly connected with licensable activities, for example the sale of contraband goods. The Sub-Committee does not have the power to judge the criminality or otherwise of any issue. The Sub-Committee's role is to ensure the promotion of the crime prevention objective [Guid s.11.24].

- 5.12 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These include the use of the premises for the sale or storage of smuggled tobacco and alcohol [Guid s.11.27].
- 5.13 Where reviews arise in respect of these criminal activities and the Sub-Committee determines that the crime prevention objective is being undermined, it is expected that revocation of the licence – even in the first instance – should be seriously considered [Guid s.11.28].

Decision:

- 6.1 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].
- 6.2 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:
- 6.2.1 the steps that are appropriate to promote the licensing objectives;
 - 6.2.2 the representations (including supporting information) presented by all the parties;
 - 6.2.3 the guidance; and
 - 6.2.4 its own statement of licensing policy [Guid 9.38].
- 6.3 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:
- 6.3.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
 - 6.3.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - 6.3.3 to refuse to specify a person in the licence as the premises supervisor;
 - 6.3.4 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

This page is intentionally left blank

**LONDON BOROUGH OF ENFIELD LICENSING AUTHORITY
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005
DECISION NOTICE**



LICENSING SUB-COMMITTEE – 27 APRIL 2016

Application was made by the **LICENSING AUTHORITY** for a review of the Premises Licence held by **MR ALI SERBET** at the premises known as and situated at **EURO EXPRESS, 212-214 CHASE SIDE, ENFIELD, EN2 0QX.**

The Licensing Sub-Committee **RESOLVED** that it considers the steps listed below to be appropriate for the promotion of the licensing **revoke** the licence.

Reasons:

The Chairman made the following statement:

“The panel has listened to all parties concerned and the views expressed.

We resolve to revoke the licence to safeguard the residents of Enfield in line with the aims and objectives of Enfield’s Licensing Policy in particular the prevention of crime and disorder.

In their own admission the present licence holder is incapable of operating the licence effectively. The breaches that have occurred have contravened national guidance and in particular paragraphs 11.27 and 11.28 of Statutory guidance March 2015.”

Date Notice Sent : 28 April 2016

Signed:

Principal Licensing Officer

APPEAL

Under the Licensing Act 2003 you have a right of appeal against this decision within 21 days of receiving this notice. Any appeal should be made in writing to the North London Magistrates Court at the following address :

North London Magistrates Court
Highbury Corner, 51 Holloway Road, London, N7 8JA

This page is intentionally left blank

LONDON BOROUGH OF ENFIELD LICENSING AUTHORITY
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005
DECISION NOTICE



LICENSING SUB-COMMITTEE – 22 JUNE 2016

Application was made by **MR HACI SIRINGUL** for the premises situated at **EURO EXPRESS, 212-214 CHASE SIDE, ENFIELD, EN2 0QX** for a new Premises Licence.

The Licensing Sub-Committee **RESOLVED** that the application be **GRANTED IN PART / IN FULL / REFUSED** as follows :

- (i) **Hours the premises are open to the public:** 06:30 to 00:00 (midnight) daily
- (ii) **Sale of alcohol (off supply):** 08:00 to midnight daily.

Conditions (in accordance with Annex 04):

- (i) Conditions 1 to 17, which are not disputed,
- (ii) **AND** additional Condition 18 by which cans and bottles of alcohol of 500ml and less may only be sold with a minimum of four items between the hours of 23:00 and 00:00.

Reasons:

The Chairman made the following statement:

“The Licensing Sub-Committee (LSC) was sufficiently persuaded that the applicant is taking all reasonable and appropriate steps to promote the licensing objectives, and is further satisfied that there is no connection between the applicant and the holders of the current licence for Euro Express, presently under appeal.

The LSC fully acknowledges the points raised by local residents by way of objection, but were not persuaded that the fears and concerns could be directly ascribed to this specific applicant or this specific application sufficient to refuse the licence. Nor do we agree with the assertion that the conditions agreed between the applicant and the Metropolitan Police Service / Licensing Authority did not fully address the problem of bags of alcohol being purchased from Euro Express – any more than from other licensed premises in the area.

That said, the LSC welcomed the unprompted offer of an additional condition volunteered by the applicant in recognition that licensable activity being sought is one hour longer than with the present licence.

Therefore we are applying new Condition 18 through which cans and bottles of alcohol of 500ml or less may be sold with a minimum of four items between 23:00 and 00:00.

Should the worst fears and concerns of these residents come to pass, and that the issues described could be directly identified with evidence as being sourced from Euro Express, then the opportunity to review this licence remains open to any potential interested party or responsible authority.”

Date Notice Sent : 09 December 2019

Signed:



Principal Licensing Officer

APPEAL

Under the Licensing Act 2003 you have a right of appeal against this decision within 21 days of receiving this notice. Any appeal should be made in writing to the North London Magistrates Court at the following address :

North London Magistrates Court

Highbury Corner, 51 Holloway Road, London, N7 8JA

W.K.

Annex 3



Enfield
Application for a premises licence
Licensing Act 2003

For help contact
licensing@enfield.gov.uk
Telephone: 020 8379 3578

* required information

Section 1 of 21

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

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="NPL/EN20QX"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes
 No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Is the applicant:

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

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

email

LONDON BOROUGH OF ENFIELD
RECEIVED

31 OCT 2019

ENVIRONMENT &
STREET SCENE

Gov UK

*Continued from previous page...***Address**

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

Ada

* Family name

Group

* E-mail

ADMIN@ADAGROUP.ORG.UK

Main telephone number

02088817466

Include country code.

Other telephone number

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

Are you:

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

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

 A private individual acting as an agent**Agent Business**

Is your business registered in the UK with Companies House?

 Yes No

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

Registration number

11290891

Business name

ADA ASUZ CONSULTANCY LTD

If your business is registered, use its registered name.

VAT number

NONE

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

Legal status

Private Limited Company

Your position in the business

MANAGER

Home country

United Kingdom

The country where the headquarters of your business is located.

*Continued from previous page...***Agent Registered Address**

Address registered with Companies House.

Building number or name	453
Street	WEST GREEN ROAD
District	HARINGEY
City or town	London
County or administrative area	
Postcode	N15 3PW
Country	United Kingdom

Section 2 of 21**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name	212-214
Street	Chase Side
District	
City or town	ENFIELD
County or administrative area	
Postcode	EN2 0QX
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	15,750

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Ali

Family name

Serbet

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

/ /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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

THIS PREMISES IS A GROCERY STORE & OFF LICENCE LOCATED ON A MAJOR ROAD.

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

Section 6 of 21**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

 Yes

 No
Section 7 of 21**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

 Yes

 No
Section 8 of 21**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

 Yes

 No
Section 9 of 21**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

 Yes

 No
Section 10 of 21**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

 Yes

 No
Section 11 of 21**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

 Yes

 No
Section 12 of 21**PROVISION OF PERFORMANCES OF DANCE***See guidance on regulated entertainment*

Will you be providing performances of dance?

 Yes

 No
Section 13 of 21**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE***See guidance on regulated entertainment*

Will you be providing anything similar to live music, recorded music or performances of dance?

 Yes

 No
Section 14 of 21**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

 Yes

 No
Section 15 of 21**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

 Yes

 No
Standard Days And Timings

MONDAY

Start End Start End

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

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

Continued from previous page...

FRIDAY

Start 08:00

End 00:00

Start

End

SATURDAY

Start 08:00

End 00:00

Start

End

SUNDAY

Start 08:00

End 00:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises
 Off the premises
 Both

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

State any seasonal variations

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

N/A

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

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

N/A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

ALI

Family name

SERBET

Date of birth



dd mm yyyy

Continued from previous page...**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)Issuing licensing authority
(if known)

ENFIELD COUNCIL

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21**ADULT ENTERTAINMENT**

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

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

N/A

Section 17 of 21**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start 06:30

End 00:00

Start

End

Give timings in 24 hour clock.

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="06:30"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="06:30"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="06:30"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="06:30"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:30"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:30"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

N/A

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

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

Section 18 of 21

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police. The Licensee will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises.

The CCTV system shall conform to the following points:

1. Cameras must be sited to observe the entrance and exit doors both inside and outside.
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 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.
14. Police will have access to images at any reasonable time.
15. 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.

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually. All emergency exits shall be kept free from obstruction at all times.

d) The prevention of public nuisance

All customers will be asked to leave quietly.
Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

All staff will be trained for UNDERAGE SALES PREVENTION regularly.

A register of refused sales shall be kept and maintained on the premises.

Section 19 of 21

Continued from previous page...

Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

It is not a legal requirement under the Licensing Act 2003 that applicants have Planning Permission. HOWEVER, we recommend that if businesses do not already have the necessary planning permission they check with the Planning Team first to see whether it is actually possible for them to get planning permission.

For further advice on planning permission please contact:

* Planning and Building Control Service
 PO Box 53, Civic Centre
 Silver Street, Enfield, EN1 3XE
 Tel: 0208 379 3878

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

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

* Full name

Besim Hajdini

* Capacity

Manager

* Date

30 / 10 / 2019

dd mm yyyy

Add another signatory

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

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

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

and any premises licence to be granted or varied in respect of this application made by

Ali Serbet,

[name of applicant]

concerning the supply of alcohol at

212-214 Chase Side
ENFIELD
EN2 0QX

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

██████████

[insert personal licence number, if any]

Personal licence issuing authority

Enfield Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



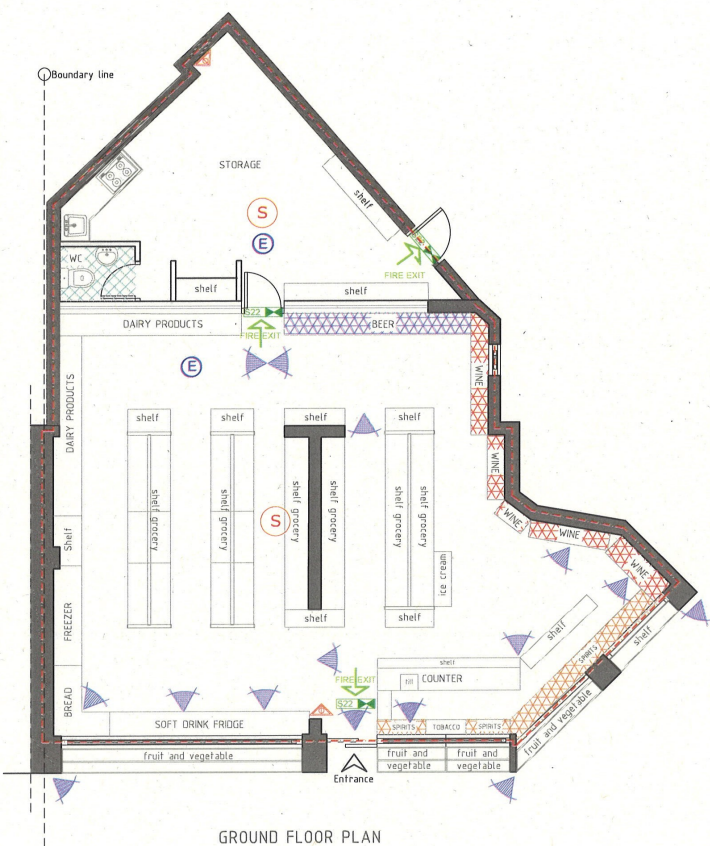
Name (please print)

Ali Serbet, 

Date

25/10/2019

Notes
 1- This drawing is not for construction
 2- All dimensions are to be checked on site and the architect is to be informed of any discrepancies before construction commences
 3- All references to drawings refer to current revision of that drawing
 4- The drawings are ADA GROUP property and should not be copied, reproduced or disclosed without written permission.

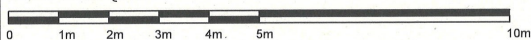


DRAWING SYMBOL KEYS

- AMBIT OF PREMISES
- WINE
- SPIRITS
- BEERS
- WC AREA
- SMOKE DETECTOR
- FIRE EXTINGUISHER
- CCTV
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN
- EMERGENCY LIGHT

GROUND FLOOR PLAN

SCALE (1/100 @A4)



ADDRESS	212-214 Chase Side, Enfield, EN2 0QX, London		REV	V2	
DATE	07/10/2019		ADA Group 453 West Green Rd. London N15 3PW info@adagroup.org.uk 0207 193 8393		
SHEET	1/1	REFERENCE			CS-0710-GR
NAME	GROUND FLOOR PLAN				



This page is intentionally left blank

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: Euro International
212-214 Chase Side
Enfield
EN2 0QX

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 new application for an off licence to provide licensable activities as detailed below.

Activity	Proposed Times
Supply of Alcohol (off)	08:00 – 00:00 Everyday
Opening hours	06:30 – 00:00 Everyday

Mr Serbet has held a premises licence for this business previously. That licence was reviewed in 2016 on the grounds that the premises had been found to be selling non duty paid alcohol and tobacco, selling after their licensed hours on 4 occasions, breaching licence conditions and trading with an inaccurate plan attached to the premises licence. That licence was revoked on 27/04/16. An appeal was lodged but later withdrawn and a new application was submitted by someone else. That licence was granted with a condition attached stating that Mr Serbet along with another named male was not permitted to be involved in any way with the operation and/or management of the business or permitted to work in the business in any capacity. The new licence was transfer to another person on 07/09/18 and the DPS was varied.

7th August 2018 - Council Officers and the Police Licensing Officer visited a number of premises in the borough to check for illicit tobacco. Mr Serbet has connections to a premises in Bush Hill Park although he is not named on the licence for that premises. Mr Serbet was working in the other premises on this day and was found to have 7 packets of non-duty paid cigarettes on his person.

17th September 2019 – A full licence inspection was carried out at the Chase Side premises (CPX) – Conditions 2, 4, 6, 7, 9, 18 all non-compliant. Ali Serbet was working in the premises despite the condition stating he cannot work there. He advised that he had taken back control of the premises as the named Premises Licence Holder had left

without warning and taken most of the stock with him. Mr Serbet advised that he is still the leaseholder. He was advised that a Transfer, Vary DPS and variation to remove the condition relating to him should be submitted. Mr Serbet was concerned that he would not be able to get the transfer consent form signed as he was unable to contact the licence holder. Resources to help with compliance were emailed to Mr Serbet.

14th October 2019 – The following advise was given to Mr Serbet's agent:
'It would be a full variation that would be required to remove Mr Serbet's name from the condition. As a Transfer and Vary DPS are also required it may be simpler and cheaper to submit a new application. This would take the same length of time as a full variation. There then would not be the issue of the unsigned consent form for the Transfer. Given the fact that a premises licence held by Mr Serbet has previously been reviewed in relation to non-duty paid goods in 2016 and non-duty paid cigarettes were also seized from him in 2018 I would request that during the consultation period he attend a meeting with myself and the Police Licensing Officer so that he can reassure us as to his future conduct. I would also recommend he sign an undertaking stating that he has fully checked the premises to ensure that there are no non-duty paid goods on site prior to the use of a new licence.'

28th October 2019 - A further illicit tobacco check was carried out at the Bush Hill Park premises and a further 3 packets of non-duty paid cigarettes was found in a jacket that was hanging on the back of the store room door. Again, Mr Serbet was working in the premises at time of the visit.

28th October 2019 The premises licence for the premises that this representation relates to was surrendered by the named licence holder.

I wish to make representation on the following:

- **Prevention of Crime and Disorder**

The repeated non-duty paid seizures that have taken place at premises that Mr Serbet is associated with has led the Licensing Authority to have a total lack of confidence in Mr Serbet's willingness to run a business within the constraints of the law and the Licensing Authority therefore objects to this application in its entirety.

If the Licensing Committee is minded to grant the licence in full or part the Licensing Authority recommends that the following conditions be attached to the licence in order to fully promote the licensing objectives:

- All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
- All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
- A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.

- A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
- 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. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
- There shall be no deliveries made to the premises between the hours of 21:00 and 07:00.
- All refuse shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of refuse outside between 21:00 and 07:00.
- Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and / or tobacco stock.
- Alcohol and tobacco stock shall only be purchased from registered wholesalers.
- The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) Seller's name and address; (2) Seller's company details, if applicable; (3) Seller's VAT details, if applicable. Copies of these documents shall be retained for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request. The most recent three months' worth of receipts shall be kept on the premises and made available to the police or authorised officers of the council on request.
- All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the store room or behind the sales counter.
- Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.
- The Premises Licence Holder shall sign an undertaking stating that they have fully checked the premises to ensure that there are no non-duty paid goods on site prior to the use of the new licence.

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

If these conditions were accepted in full, I WOULD NOT withdraw my representation.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk

Signed: CPALMER

Date: 18/11/2019

This page is intentionally left blank

LICENSING AUTHORITY ADDITIONAL INFORMATION

Name and address of premises: Euro International
212-214 Chase Side
Enfield
EN2 0QX

Type of Application: New Premises Licence

Detailed below is additional information not previously included in the representation submitted on 18/11/19:

22/11/19 – 23:10 – 23:18 Out of Hours Licensing Enforcement Officers (EVG/CT) visited the premises to check the outstanding licence conditions. C2 CCTV time was still incorrect, unable to check footage as no one able to use CCTV. C6, 7 – Training records not available. C9 – Refusal book not available. C18 – Ali Serbet not seen but works at premises so breach of condition. Advised to contact Senior Licensing Enforcement Officer to arrange appointment regarding compliance.

03/12/19 – Trading Standards Officers visited various premises in the borough to carry out illicit tobacco test purchases. As illicit tobacco was seized from the premises in Bush Hill Park that Mr Serbet is associated with in October 2019 that premises was tested. When the test purchase volunteer asked for ‘cheap tobacco’ the male member of staff went to the back of the shop and returned with a packet of Marlboro Gold. The packet appeared to be non-duty paid and did not comply with standardized packaging regulations. The member of staff does not appear to have been Mr Serbet.

04/12/19 - Mr Ali Serbet attended a meeting with a Senior Licensing Enforcement Officer (CPX) and PC Staff to discuss their representations in relation to this licence application. Mr Serbet was unaware that the licence for the premises had been surrendered despite this information being included in the Licensing Authority initial representation. He was advised to apply for Temporary Events Notices until a decision was made at the licence hearing. Mr Serbet brought a folder with him to the meeting which contained the following documents: Think 25 posters, CCTV in operation notices, Tobacco Notices, Leave Quietly posters, a training manual in both English and Turkish, an Incident Book, Complaint Forms, Training Records for himself and 1 other person dated 03.12.19, A refusals book – no entries. He also showed the officers a copy of a quotation listing items ordered on 18.11.19 and to be installed on 03.12.19 – new CCTV system. He showed the officers, via his mobile phone, that the CCTV was working.

Mr Serbet was asked what his connection is with the Bush Hill Park premises and he advised that he owns the shop despite not being the licence holder or the person who pays the business rates. When tobacco was seized in October 2019 Mr Serbet advised that he was the Director of Euro Istanbul Town Ltd. A check of the Companies House website found no such company. A check of the name Ali Serbet brought up a company called Istanbul Food Centre Ltd with a correspondence address that matches that of the Bush Hill Park Premises.

Mr Serbet was reminded that illicit tobacco had been seized from him at that shop in August 2018, that additional illicit tobacco had been found at that premises in October

2019. He was also told that Trading Standards Officers had attempted a tobacco test purchase at the shop on 03.12.19 and that a member of staff had sold illicit cigarettes to the officer. Mr Serbet was not aware of this most recent incident so was given the name of the seller and the estimated time of the test purchase so he could check his CCTV and see who made the sale. Mr Serbet said that it would not have been the person whose name the officers were given. Mr Serbet explained that he has been left in a very difficult position financially because of issues caused by previous staff and previous tenants. He brought a file to the meeting containing information about bailiff payments and business rates which he is trying to pay off as previous tenants did not pay. Mr Serbet said that he has been back in charge of the premises for approximately 1 year. Mr Serbet advised that he will be at the shop everyday.

04/12/19 – An officer (CPX) has checked the surrender letter again and although the letter was logged by the Licensing Team on 28th October 2019 it was actually date stamped as having been received by the Licensing Team on 21st October 2019.

The most recent failed test purchase at a shop that Mr Serbet admits he owns reinforces the Licensing Authorities opinion that this application should not be granted.

The Licensing Authority therefore continues to object to this application.

Duly Authorised: Charlotte Palmer, Senior Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk

Signed:



Date: 09/12/19

Annex 5



POLICE REPRESENTATION

Name and address of premises: Euro International
212-214 Chase Side
Enfield
EN2 0QX

Type of Application: New Premises Licence

The Application

This is an application for a new premises licence for the supply of alcohol as follows;

Supply of Alcohol	Monday to Sunday 08:00 – 00:00
Opening Hours	Monday to Sunday 06:30 – 00:00

Location

This venue is situated on the corner of two residential roads, opposite a busy local shopping area.

History

I have researched Police crime and intelligence systems relating to this venue and found that there has been a history of allegations of underage alcohol and cigarette selling. On the 18th Sept 2018 Enfield Council carried out a test purchase for underage alcohol and cigarette selling and the shop failed as they sold cigarettes and alcohol to a 17 year old female. Trading Standards sent a warning notice.

The applicant also has a history here where his licence was revoked in 2016 for selling non duty paid goods.

Council and Police Officers have found non duty paid goods in a different venue, but where the applicant was working, on 2 occasions – August 2018 and Oct 19.

It has also been brought to the Polices' attention that the applicant was working at the above venue in Sept 2019, even though that action in itself, was in breach of the premises licence.

I have considered the application and if this were granted the effect could be detrimental to the Licensing objectives.

In summary I wish to make representation on the following:

- Prevention of crime & disorder

Mr Ali Serbet had his premises licence revoked due to non duty paid goods being sold in the venue. He has since been visited by officials at his place of work in Bush Hill Park, twice, and again found to have non duty paid cigarettes in the venue on both occasions. He has also shown to pay little regard to lawful conditions on a premises licence by working at the store who's licence states he must not work there.

The Police have no confidence in the applicant running a licensed premises and being a responsible licence holder, due to the obvious disregard he has for the law.

After having his licence revoked Mr Serbet would have been fully aware that non duty paid goods are not allowed in a store. He was advised again, by Council and Police Officers when the illicit cigarettes were found last year, but he has ignored advice and the law and allowed them on the premises yet again.

Police and Council Officers are aware that not all illicit goods that are being sold are necessarily kept in the store, but the bulk are quite often stored in vans or other buildings and small amounts brought in to be sold, so it is irrelevant how many are found actually in the store, as this is a known strategy.

The local Police receive numerous complaints, usually during the warmer months, of groups of young people congregating around the vicinity of the shop. They have reports of Anti Social Behaviour and reports of underage drinking and smoking. Whoever holds the licence for this shop has to have resilience and ensure they uphold the Licensing Objectives, Police have no confidence that the applicant would behave in a responsible matter and comply with the licensing objectives.

Should a hearing be required I reserve the right to add to this representation

Police Officer: Karen Staff PC2237NA

Tel: 0208 345 3379

NAMailbox-Licensing@met.police.uk

Date: 29th November 2019

This page is intentionally left blank

REPRESENTATIONS FROM APPLICANT

Name and address of premises: Euro International
212 – 214 Chase Side
Enfield EN2 0QX

Type of Application: New Premises Licence

Type of Activity:	Opening Hours	06.30 – 00.00 daily
	Sale of Alcohol (OP)	08.00 – 00.00 daily

1. I am the applicant and wish to make representations in support of the application for a new premises licence at Euro International, 212 – 214 Chase Side, Enfield EN2 0QX. I have read the document pack, licensing authority representations, police representations, proposed conditions and annexes.
2. I am determined to comply with the licensing objectives and am confident that I can carry out licensable activities lawfully and comply with any conditions imposed by the Licensing Sub-Committee. I submit, for the reasons outlined below, that the Sub-Committee can, therefore, properly grant the application subject to conditions.
3. I previously held a premises licence LN/200500647 following a transfer application on 21st August 2015. A DPS variation was made and granted on 25th August 2015.
4. It is correct to say that the premises licence was revoked on 27th April 2016 for alleged breaches of licensing conditions in 2015 (see Annex 1). I submit that the Sub-Committee should not place undue weight on those allegations because the matter was subject to Court proceedings and dismissed.
5. I appeared at Enfield Magistrates' Court on 22nd September 2016 and 24th November 2016 when the charges of alleged selling of non-paid duty alcohol and tobacco, selling after licensed hours, breach of licence conditions and trading with an inaccurate plan were either withdrawn by Enfield Council or dismissed by the Court. It was accepted that I did not know, permit or agree to the sale of the alcohol in the circumstances and was not involved the sale of contraband products. The Court awarded my legal costs.
6. The revocation of the premises licence was subject to an appeal but, because of the pending prosecution, a pragmatic decision was taken for a new application to be submitted and this was granted on 22nd June 2016 to different licence holder: LN/201600266.

7. I acknowledge the licensing authority and police representations about prevention of crime and disorder and have noted their objections. I do not accept that past alleged non-compliance is such that it amounts to a *“total lack of confidence”* of my willingness to *“run a business within the constraints of the law”* or that I am incapable of *“being a responsible licence holder”*. On the contrary, I am a hard working businessman and the success of my business depends on my compliance with the licensing objectives.
8. I wish to add that I attended a meeting with the licensing authority on 4th December 2019 and since then have been granted temporary event licences for dates in December 2019 and January 2020. I am happy to cooperate fully with the authority to ensure the objectives are met.
9. I have received and considered the proposed licensing conditions in Annex 7. I wish to take further advice on the conditions and will submit confirmation of my acceptance before the hearing. However, in principle, I am willing to accept the proposed conditions.

Ali Serbert

09/01/2020

Annex 7

Proposed Conditions

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

1. 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.
2. The premises licence holder shall ensure that all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.
3. 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
4. A digital CCTV system must be installed in the premises complying with the following criteria:
 - a. Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, till area and floor areas.
 - b. 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.
 - c. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
 - d. Cameras viewing till areas must capture frames not less than 50% of screen
 - e. Provide a linked record of the date, time, and place of any image.

- f. Provide good quality images – colour during opening hours.**
 - g. Operate under existing light levels within and outside the premises.**
 - h. Have the recording device located in a secure area or locked cabinet.**
 - i. Have a monitor to review images and recorded picture quality.**
 - j. Be regularly maintained to ensure continuous quality of image capture and retention.**
 - k. Have signage displayed in the customer area to advise that CCTV is in operation.**
 - l. Digital images must be kept for 31 days.**
 - m. Police or authorised local authority employees will have access to images at any reasonable time.**
 - n. Have a member of staff trained in operating the CCTV at the venue during times open to the public.**
 - o. 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 or authorised local authority employees on request.**
- 5. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.**
- 6. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.**
- 7. A 'Think 25' proof of age scheme shall be operated, and relevant material shall be displayed at the premises.**
- 8. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.**
- 9. 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. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.**
- 10. There shall be no deliveries made to the premises between the hours of 21:00 and 07:00.**

- 11. All refuse shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of refuse outside between 21:00 and 07:00.**
- 12. Only the Premises Licence Holder or Designated Premises Supervisor shall purchase alcohol and / or tobacco stock.**
- 13. Alcohol and tobacco stock shall only be purchased from registered wholesalers.**
- 14. The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) Seller's name and address; (2) Seller's company details, if applicable; (3) Seller's VAT details, if applicable. Copies of these documents shall be retained for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request. The most recent three months' worth of receipts shall be kept on the premises and made available to the police or authorised officers of the council on request.**
- 15. All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the store room or behind the sales counter.**
- 16. Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale.**
- 17. The Premises Licence Holder shall sign an undertaking stating that they have fully checked the premises to ensure that there are no non-duty paid goods on site prior to the use of the new licence.**
- 18. 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.**

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

This page is intentionally left blank

**MUNICIPAL YEAR 2019/20 REPORT
NO.188**

COMMITTEE:
Licensing Sub-Committee
22 January 2020

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
<p>SUBJECT: Application for a New Premises Licence</p> <p>PREMISES: Fresh Food Centre, 220-222 Hertford Road, Enfield, EN3 5BH</p> <p>WARD: Enfield Lock</p>	

1 LICENSING HISTORY:

- 1.1 A Premises Licence already exists at this address, LN/200900250 was granted without subject to representation, on 15 July 2009 and TFC (Enfield) Ltd was the named premises licence holder.
- 1.2 The premises licence has been transferred twice since, most recently on 5 November 2019 to KYK Trading Ltd. This transfer application was granted without subject to representation.
- 1.3 The Directors of KYK Trading Ltd are Yilmaz Kara, Talip Kaynar and Oktay Yilmaz.
- 1.4 A Vary Designated Premises Supervisor (DPS) application was recently granted on 6 January 2020, without subject to representation, naming Mr Talip Kaynar.
- 1.5 The premises licence LN/200900250 has not been subject to any review applications.
- 1.6 No Temporary Event Notices (TENs) have been sought for this premises.
- 1.7 A copy of LN/200900250 is now produced in Annex 1.

2.0 THIS APPLICATION:

- 2.1 On 21 October 2019 an application was made by KYK Trading Ltd for a new premises licence, at the advice of their solicitors Dadds LLP.
- 2.2 KYK Trading Ltd is also the premises licence holder of the existing premises licence LN/200900250.
- 2.3 The proposed Designated Premises Supervisor is Mr Talip Kaynar, as per the existing premises licence.

2.4 The application seeks:

Activity	Times sought by this new application	Timings of previous licence LN/200900250
Opening hours	24 hours daily	08:00 to 23:00 daily
Supply of alcohol (off sales)	24 hours daily	08:00 to 23:00 daily

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

2.6 This premises is situated in the Enfield Highway Cumulative Impact Policy (CIP) Area .

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

3.0 RELEVANT REPRESENTATIONS:

3.1 **Metropolitan Police:** Representations have been made, objecting to the full hours sought and seeking modification of conditions, based on the prevention of crime and disorder licensing objective.

3.2 The Police's representation is attached as Annex 3.

3.3 **Licensing Authority:** Representations have been made, objecting to the full hours sought and seeking modification of conditions, based on the prevention of crime and disorder, prevention of nuisance and protection of children from harm licensing objectives.

3.4 The Licensing Authority's representation is attached as Annex 4.

3.5 The Responsible Authorities (RA's) seek the following times, in line with the Cumulative Impact Policy:

Activity	Times sought by this new application	Timings proposed by RA's
Opening hours	24 hours daily	08:00 to 00:00 daily
Supply of alcohol (off sales)	24 hours daily	08:00 to 00:00 daily

3.6 To date, the applicant has not provided a written response to the representations.

4.0 PROPOSED LICENCE CONDITIONS:

- 4.1 The conditions proposed by the Responsible Authorities are attached as Annex 5. The applicant has not yet indicated whether these conditions are agreed.

5.0 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)].

Cumulative Impact Policy:

- 5.5 The applicant premises/club premises is located in the Edmonton Cumulative Impact Policy Area [Pol s.9.22/23].
- 5.6 The application is for a variation of a premises licence [Pol s.9.22/23].
- 5.7 The application is subject to a relevant representation [Pol s.9.22/23].
- 5.8 Therefore, the Cumulative Impact Policy applies to this application [Pol s.9.22/23].
- 5.9 The Core Hours for this application are:
5.9.1 Sale/supply of alcohol (off supplies only): Monday to Sunday Indoors and/or outdoors 08:00 to 00:00 [Pol s.9.24.1]:
- 5.10 The Council's policy is that this application (which is outside the Core Hours set out above) is subject to the presumption against grant that is implicit in a cumulative impact policy [Pol s.9.23].
- 5.11 Where the cumulative impact policy applies to an application, applicants are expected to demonstrate an understanding of how the policy impacts on their

application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy [Guid 8.35].

Hours:

- 5.12 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].
- 5.13 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].

Determining actions that are appropriate for the promotion of the licensing objectives

- 5.14 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. [Guid 9.42]
- 5.15 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. [Guid 9.43]
- 5.16 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination. [Guid 9.44]

Decision:

- 6.1 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].
- 6.2 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:
 - 6.2.1 the steps that are appropriate to promote the licensing objectives;
 - 6.2.2 the representations (including supporting information) presented by all the parties;
 - 6.2.3 the guidance; and
 - 6.2.4 its own statement of licensing policy [Guid 9.38].
- 6.3 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:
 - 6.3.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
 - 6.3.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - 6.3.3 to refuse to specify a person in the licence as the premises supervisor;
 - 6.3.4 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

This page is intentionally left blank

Licensing Act 2003

**PART A – PREMISES LICENCE**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number:

Part 1 – Premises Details

Postal address of premises:

Premises name:
 Address:

Where the licence is time-limited, the dates:

Maximum number of persons permitted on the premises where the capacity is 5,000 or more.

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:

Operating Schedule Details

Location	Whole premises
Activity	OPEN-Open to the Public
Sunday	08:00-23:00
Monday	08:00-23:00
Tuesday	08:00-23:00
Wednesday	08:00-23:00
Thursday	08:00-23:00
Friday	08:00-23:00
Saturday	08:00-23:00
Non-Standard Timings & Seasonal Variations	

Location	Off supplies
Activity	ALCS-Supply of Alcohol
Sunday	08:00-23:00
Monday	08:00-23:00
Tuesday	08:00-23:00
Wednesday	08:00-23:00
Thursday	08:00-23:00
Friday	08:00-23:00

Saturday	08:00-23:00
Non-Standard Timings & Seasonal Variations	

Part 2

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

Name:	Kyk Trading Ltd, Kyk Trading Limited
Address:	Fresh Food Centre, 220-222 Hertford Road, ENFIELD, EN3 5BH
Telephone number:	Not provided
E-mail:	cem.k.ucur@gmail.com

Registered number of holder (if applicable):	12193385
-----------------------------------------------------	-----------------

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

Name:	Mr Talip Kaynar
Address:	23 College Gardens, LONDON, N18 2XW

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:	LN/201300025
Issuing Authority:	London Borough of Enfield

Premises Licence LN/200900250 was first granted on 15 July 2009.

Signed: 

Date: 6 January 2020

**for and on behalf of the
London Borough of Enfield
Licensing Team,
Civic Centre, Silver Street,
Enfield EN1 3XY**



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

- 1. 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.**

- 2. A CCTV system shall be installed, operated and maintained at the premises complying with the following criteria: (1) Cameras shall be sited to observe the entrance door and exit doors both inside and outside ; (2) Cameras facing the entrance door shall 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 shall be wide angled to give an overview of the premises, (4) Be capable of visually confirming the nature of the crime committed; (5) Provide a linked record of the date, time and place of any image; (6) Provide good quality images - colour during opening times;(7) Operate under existing light levels within and outside the premises; (8) Have the recording device located in a secure area or locked cabinet; (9) Have a monitor to review images and recorded picture quality; (10) Be regularly maintained to ensure continuous quality of image capture and retention; (11) Have signage displayed in the customer area to advise that CCTV is in operation; (12) Digital images shall be kept for 31 days; (13) Police shall have access to images at any reasonable time; (14) The equipment shall 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 shall 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.**

- 2. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request.**

- 3. A monitored alarm system to EU 50131 must be installed at the premises. A panic button facility must be provided at each counter.**

- 4. Toilets shall be checked on average two hourly while the premises are open to the public and a record shall be kept of the times, dates and any issues discovered. These records shall be kept for 6 months and shall be made available to an officer of the Council or Police upon request.**

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

6. The Local Authority or similar proof of age scheme shall be operated and relevant material shall be displayed at the premises. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.

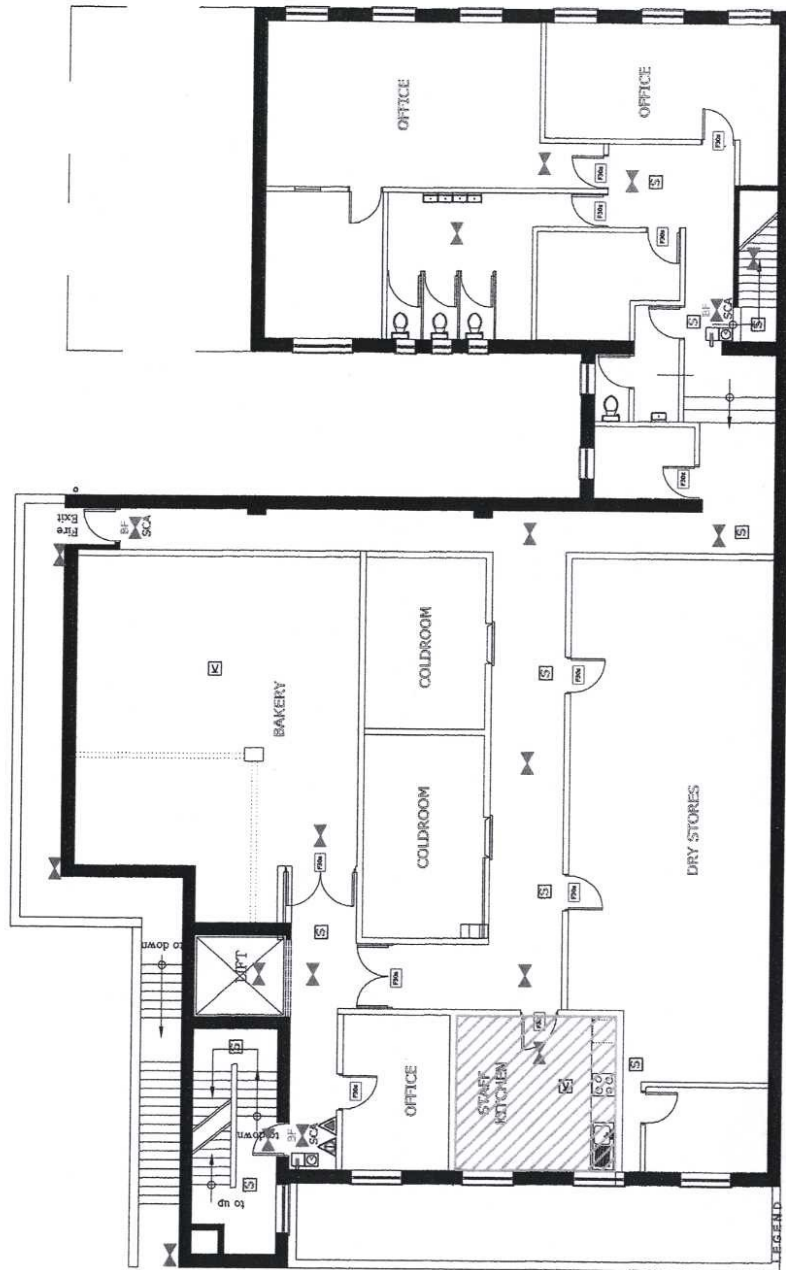
7. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be taken off the premises and consumed in the street.

8. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol.

9. All training shall be documented and records kept. This record must be made available to the Police and/or Local Authority upon request.

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

Not applicable



FIRST FLOOR PLAN

This page is intentionally left blank



Enfield
Application for a premises licence
Licensing Act 2003

For help contact
licensing@enfield.gov.uk
Telephone: 020 8379 3578

* required information

Section 1 of 21

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

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

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



Include country code.

Is the applicant:

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

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

Applicant Business

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

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

Registration number

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

A private individual acting as an agent

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...Your position in the business Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 21****PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

 Address OS map reference Description
Postal Address Of PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21**OPERATING SCHEDULE**

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

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

A convenience store offering a range of groceries in addition to the sale of alcohol for consumption off the premises

Continued from previous page...

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

Section 6 of 21**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Section 11 of 21**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Section 12 of 21**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth
dd mm yyyy

*Continued from previous page...***Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)Issuing licensing authority
(if known)

London Borough of Enfield

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21**ADULT ENTERTAINMENT**

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

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

There will be no activity of this nature.

Section 17 of 21**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start End Start End

Give timings in 24 hour clock.

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

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

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

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

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

Section 18 of 21

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

The premises will actively promote the 4 licensing objectives and offers the following schedule of conditions in this regard.

b) The prevention of crime and disorder

A CCTV system shall be installed, operated and maintained at the premises complying with the following criteria: (1) Cameras shall be sited to observe the entrance door and exit doors both inside and outside ; (2) Cameras facing the entrance door shall 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 shall be wide angled to give an overview of the premises, (4) Be capable of visually confirming the nature of the crime committed; (5) Provide a linked record of the date, time and place of any image; (6) Provide good quality images - colour during opening times;(7) Operate under existing light levels within and outside the premises; (8) Have the recording device located in a secure area or locked cabinet; (9) Have a monitor to review images and recorded picture quality; (10) Be regularly maintained to ensure continuous quality of image capture and retention; (11) Have signage displayed in the customer area to advise that CCTV is in operation; (12) Digital images shall be kept for 31 days; (13) Police shall have access to images at any reasonable time; (14) The equipment shall 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 shall 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.

A monitored alarm system to EU 50131 must be installed at the premises. A panic button facility must be provided at each counter.

Toilets shall be checked on average two hourly while the premises are open to the public and a record shall be kept of the times, dates and any issues discovered. These records shall be kept for 6 months and shall be made available to an officer of the Council or Police upon request.

If the premises open past midnight, a Raid Control system must be installed and procedures carried out: (1) A time delay safe is fitted and secured to the fabric of the building to ensure cash is minimised in the till; (2) A separate covert real time digital camera, facing inwards, is fitted above the front door (Raid Cam); (3) A smoke note system is installed; (4) All staff must be fully trained as to its use and a signed written record kept of all training carried out; (5) The equipment must be properly maintained.

c) Public safety

At least 2 members of staff shall be present on the shop floor of the premises at all times the premises are open for licensable activities.

d) The prevention of public nuisance

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

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.

e) The protection of children from harm

Continued from previous page...

The Local Authority or similar proof of age scheme shall be operated and relevant material shall be displayed at the premises. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.

All staff shall receive induction and refresher training (at least every three months) 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.

A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request.

Children under the age of 14 shall not be permitted on the premises between 21:00 and 06:00 unless accompanied by an adult.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

315.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

It is not a legal requirement under the Licensing Act 2003 that applicants have Planning Permission. HOWEVER, we recommend that if businesses do not already have the necessary planning permission they check with the Planning Team first to see whether it is actually possible for them to get planning permission.

For further advice on planning permission please contact:

* Planning and Building Control Service

PO Box 53, Civic Centre
Silver Street, Enfield, EN1 3XE
Tel: 0208 379 3878

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

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

* Full name

David Dadds

* Capacity

Applicant's Solicitor

* Date

21	/	10	/	2019
dd		mm		yyyy

Add another signatory

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

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/enfield/apply-1> to upload this file and continue with your application.

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

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

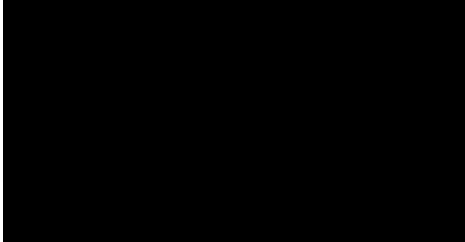
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Consent of individual to being specified as premises supervisor

I TALIP KAYNAR

[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Application

[type of application]

by

KYK TRADING LIMITED

[name of applicant]

relating to a premises licence

N/A

[number of existing licence, if any]

for

FRESH FOOD CENTRE (PREVIOUSLY "THE BAZAAR")
220/222 HERTFORD RD
ENFIELD
EN3 5BH

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

KYK TRADING LIMITED
[name of applicant]

concerning the supply of alcohol at

FRESH FOOD CENTRE ,
220/222 HERTFORD RD,
ENFIELD,
EN3 5BH.

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

Personal licence issuing authority

ENFIELD COUNCIL .
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

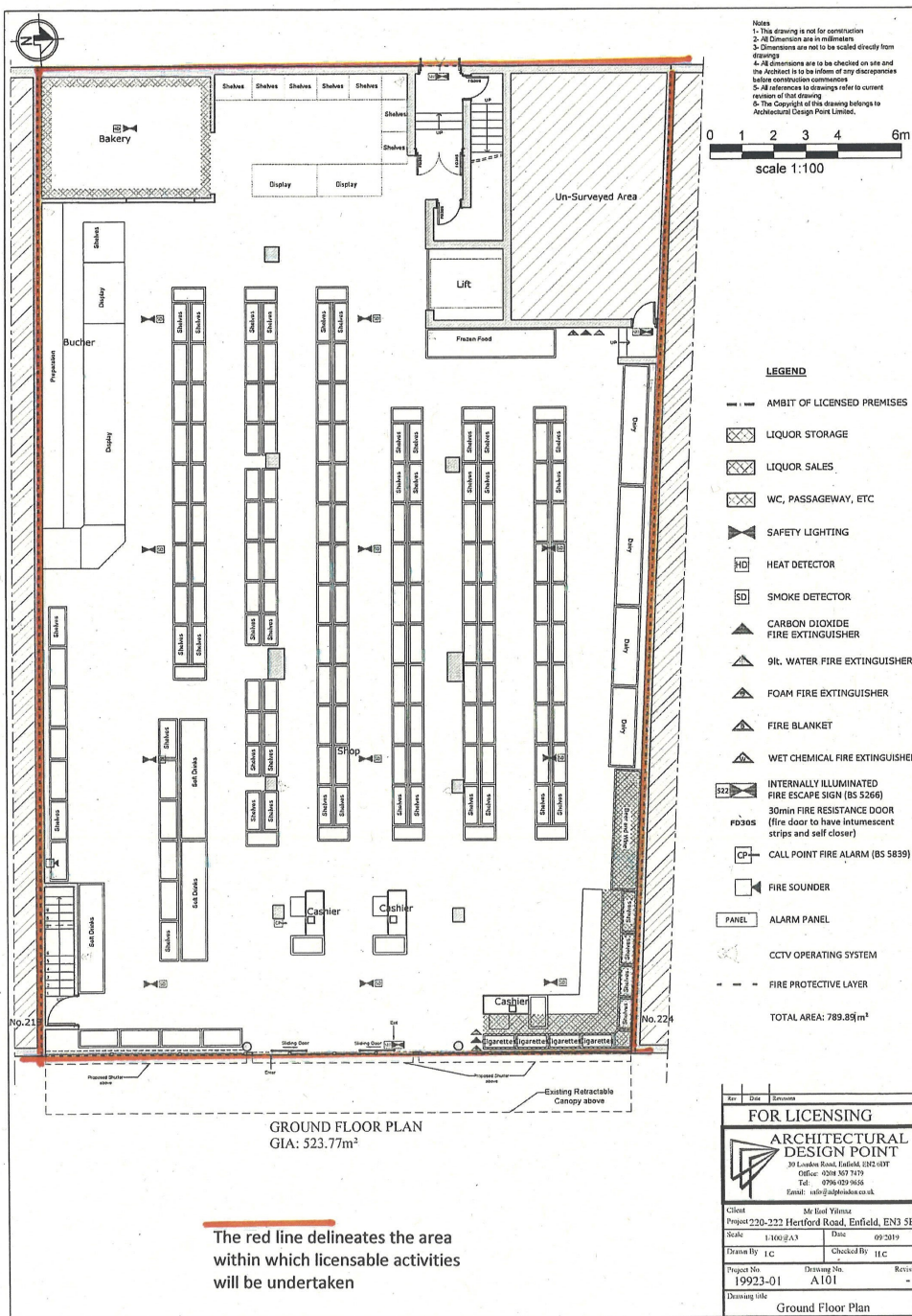
Name (please print)

Date

TALIP KAYNAR .

10 / 10 / 2019 .

This page is intentionally left blank



This page is intentionally left blank

Annex 3



POLICE REPRESENTATION

Name and address of premises: Fresh Food Centre
220-222 Hertford Road
Enfield
EN3 5BH

Type of Application: New Premises Licence

The Application

This is an application for a new premises licence for the supply of alcohol as follows;

Supply of Alcohol	24 hours a day everyday
Opening Hours	24 hours a day everyday

Location

This venue is situated within a parade of shops with residential properties above on a busy thoroughfare with similar properties opposite.

History

I have researched Police crime and intelligence systems relating to this venue with a negative result.

Cumulative Impact Policy

London Borough of Enfield

Licensing Act 2003

Licensing Policy Statement (Fifth Edition 28th January 2015)

9.21 Any applications for new premises licences and/or club premises certificates and/or provisional statements and any applications for

variations of those authorisations for hours within the limits set out (referred to as Core Hours) for premises and/or clubs inside the cumulative impact policy areas will generally be granted, subject to consideration of any representations about the way in which the application will promote the licensing objectives.

- 9.22 Any applications for new premises licences and/or club premises certificates and/or provisional statements and any applications for variations of those authorisations for hours outside the limits set out (referred to as Core Hours) for premises and/or clubs inside the cumulative impact policy areas will, when subject to relevant representations, be subject to the presumption against grant that is implicit in a cumulative impact policy.

This premise is within Enfield Boroughs Cumulative Impact Policy area. Hours sort are not within the limits set out and as such, section 9.22 refers.

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

In view of the CIP, Police are objecting to the proposed hours for the sale of alcohol but would agree hours that are permitted, namely 08:00 to 00:00

If this application were granted in full or part, I suggest that the following conditions be attached to the licence, as set out below, to further promote the licensing objectives.

1) CCTV is an essential ingredient in deterring crime and gathering evidence if crime is committed. Police therefore request the following condition is applied to the premises licence to ensure quality performance.

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

- a. Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, and floor areas.
- b. 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.
- c. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
- d. Provide a linked record of the date, time, and place of any image.
- e. Provide good quality images.
- f. Operate under existing light levels within and outside the premises.
- g. Have the recording device located in a secure area or locked cabinet.
- h. Have a monitor to review images and recorded picture quality.

- i. Be regularly maintained to ensure continuous quality of image capture and retention.
- j. Have signage displayed in the customer area to advise that CCTV is in operation.
- k. Digital images must be kept for 31 days.
- l. Police or authorised local authority employees will have access to images at any reasonable time.
- m. Have a member of staff trained in operating the CCTV at the venue during times open to the public.
- n. 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 or authorised local authority employees on request.

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

Date: 5th November 2019

This page is intentionally left blank

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: Fresh Food Centre
220-222 Hertford Road
Enfield
EN3 5BH

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 new application for a large convenience store to provide licensable activities as detailed below.

Activity	Proposed Times
Supply of Alcohol (off)	24 hours Everyday
Opening hours	24 hours Everyday

Cumulative Impact Policy (CIP):

This premises is located in the Enfield Highway Cumulative Impact Policy (CIP) Area.

The CIP relates to all new and variation applications. The CIP states the core hours that should not be exceeded for each type of premises in particular locations.

ie. Sale/supply of alcohol (off supplies only): Monday – Sunday 08:00 – 00:00.

The hours applied for in this application exceed those specified in the CIP.

Where the hours applied for exceed those specified in the CIP there is a presumption that the application will be refused.

As demonstrated in the CIP this location is already an area of concern in relation to crime and disorder and public nuisance.

I wish to make representation on the following:

- **Protection of Children from harm**
- **Prevention of Nuisance**
- **Prevention of Crime and Disorder**

The Licensing Authority objects to the times applied for as they exceed those permitted under the CIP core hours. The Licensing Authority recommends the times for the sale of alcohol (off sales) be reduced to 08:00 till 00:00 Monday to Sunday to bring them in line with the core hours of the CIP.

If the licence is granted in full or part I recommend that the following conditions be attached to the licence in order to fully promote the licensing objectives:

1. All staff involved in the sale of alcohol shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
2. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
3. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
4. A record of refused sales shall be kept on the premises and completed when necessary. This record shall contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
5. The Designated Premises Supervisor shall regularly check the refusals system to ensure it is being consistently used by all staff.
6. 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. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
7. Deliveries may only be made to the premises between the hours of 07:00 and 21:00.
8. Children under the age of 14 shall not be permitted on the premises between the hours of 21:00 – 06:00 unless accompanied by an adult.
9. At least two members of staff shall be on the premises at all times that it is open for licensable activities.

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

If these 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

Signed: CPALMER

Date: 04/11/2019

This page is intentionally left blank

Annex 5

Proposed Conditions – Fresh Food Centre

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

1. 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.

CONDITIONS PROPOSED BY THE POLICE:

2. A digital CCTV system must be installed in the premises complying with the following criteria:
 - (a) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, and floor areas.
 - (b) 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.
 - (c) Cameras overlooking floor areas should be wide angled to give an overview of the premises.
 - (d) Provide a linked record of the date, time, and place of any image.
 - (e) Provide good quality images.
 - (f) Operate under existing light levels within and outside the premises.
 - (g) Have the recording device located in a secure area or locked cabinet.
 - (h) Have a monitor to review images and recorded picture quality.
 - (i) Be regularly maintained to ensure continuous quality of image capture and retention.
 - (j) Have signage displayed in the customer area to advise that CCTV is in operation.
 - (k) Digital images must be kept for 31 days.
 - (l) Police or authorised local authority employees will have access to images at any reasonable time.
 - (m) Have a member of staff trained in operating the CCTV at the venue during times open to the public.
 - (n) 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 or authorised local authority employees on request.
3. 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.

CONDITIONS PROPOSED BY THE LICENSING AUTHORITY:

4. All staff involved in the sale of alcohol shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
5. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
6. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
7. A record of refused sales shall be kept on the premises and completed when necessary. This record shall contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
8. The Designated Premises Supervisor shall regularly check the refusals system to ensure it is being consistently used by all staff.
9. 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. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
10. Deliveries may only be made to the premises between the hours of 07:00 and 21:00.
11. Children under the age of 14 shall not be permitted on the premises between the hours of 21:00 – 06:00 unless accompanied by an adult.
12. At least two members of staff shall be on the premises at all times that it is open for licensable activities.

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

LICENSING SUB-COMMITTEE - 18.12.2019

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 18 DECEMBER 2019**

COUNCILLORS

PRESENT (Chair) Chris Bond, Jim Steven, Sinan Boztas and Christine Hamilton

ABSENT

OFFICERS: Ellie Green (Principal Licensing Officer), Charlotte Palmer (Senior Licensing Enforcement Officer), Balbinder Kaur Geddes (Legal Services Representative), Jane Creer (Democratic Services)

Also Attending: (Item 3)
PC Karen Staff (Metropolitan Police Service)
Mr Ali Serbet (applicant)
Press representative
(Item 6)
2 representatives on behalf of Dost Hane (applicant)

368**WELCOME AND APOLOGIES FOR ABSENCE**

Councillor Bond (Chair) welcomed all those present and explained the order of the meeting.

369**DECLARATION OF INTERESTS**

NOTED there were no declarations of interest.

370**EURO INTERNATIONAL, 212-214 CHASE SIDE, ENFIELD EN2 0QX (REPORT NO. 162)**

RECEIVED the application made by Mr Ali Serbet for a new premises licence at the premises situated at Euro International, 212-214 Chase Side, Enfield, EN2 0QX.

NOTED

1. The introduction by Ellie Green, Principal Licensing Officer, including:
 - a. This was a new premises licence application, and the applicant was present at the hearing.

LICENSING SUB-COMMITTEE - 18.12.2019

- b. It had come to her attention yesterday that the applicant wished to request an adjournment due to difficulties he had getting legal representation. Due to the late hour, she had advised that the applicant should come and make the request to the sub committee, but to be prepared also for the possibility for the hearing to proceed.
 - c. Mr Serbet advised that he had many problems to deal with recently in respect of the premises, including financial, and when he found money for a solicitor it had been too late for representation at this hearing.
 - d. Ellie Green clarified that Mr Serbet was the landlord of the premises and that the former tenants/licence holders had vacated without paying the bills. The application had come through an agent and it had originally been advised that a solicitor had been arranged. It was in the best interests of Mr Serbet to be legally represented, but that was not possible today. In the event of adjournment, there would be no licence in place and the premises would not be able to sell alcohol until a licence was granted. There had been Temporary Event Notice (TEN) applications which had covered 18 days. A premises was allowed 21 days under TENs per calendar year, so there could only be 3 more days maximum in 2019. The quota would start again from 1 January 2020, and TEN applications had already been submitted for 7 days. A further hearing would not be possible until the New Year when a meeting date would be arranged. There would be an impact on ability to sell alcohol at the premises.
 - e. Mr Serbet confirmed his understanding of the situation, and that he was not selling alcohol at the premises at the moment.
2. The Licensing Sub Committee agreed to the request for an adjournment. A decision would be made at a hearing at a later date.

371

DOST HANE, 77 BOUNCES ROAD, LONDON N9 8LD (REPORT NO. 163)

RECEIVED the application made by Mrs Songul Aydin for the premises situated at Dost Hane, 77 Bounces Road, London, N9 8LD for two Temporary Event Notices (TENs) covering the following dates: 24, 25, 26, 31 December 2019 and 1 January 2020, 23:00 until 03:00.

NOTED

1. Councillor Boztas was replaced on the panel by Councillor Hamilton to avoid a conflict of interest as a Lower Edmonton ward councillor.
2. The introduction by Ellie Green, Principal Licensing Officer, including:
 - a. This application was for two Temporary Event Notices (TENs) for the premises Dost Hane, 77 Bounces Road, Edmonton. This was a live music venue and restaurant. The applicant, Mrs Songul Aydin was in attendance at the hearing.

LICENSING SUB-COMMITTEE - 18.12.2019

- b. The original application had been for three TENs from 23:00 to 03:00 between 24/12/19 and 1/1/20.
 - c. Environmental Health had made an objection on the grounds of prevention of public nuisance, and were represented at the hearing by Charlotte Palmer.
 - d. The applicant had been contacted by phone to discuss options. Confirmation was received that the TEN for 27/12/19 to 29/12/19 was withdrawn, but the other two TEN applications remained and a Counter Notice was issued on 12/12/19.
 - e. Mrs Aydin advised on 13/12/19 that she wished the remaining TEN applications to be determined by the Licensing Sub Committee. Therefore the Counter Notice must be discounted.
 - f. The existing licence was shown in Annex 1 of the officers' report.
3. The statement of Mrs Songul Aydin, the applicant, including:
- a. She was asking for TENs to cover 24, 25 and 31 December as she was fully booked for events at the premises those dates.
 - b. She knew she had made a mistake on 6/12/19 when she had moved the stage to the wrong place, next to the door, and it had now been moved back. She was really sorry for that occasion. She had booked a famous person from Turkey to perform, but didn't know it was going to be so noisy.
 - c. It was hard to stand in this business as a woman, and she asked for the sub committee's support.
4. Mrs Aydin responded to questions, including:
- a. In response to Members' queries, she confirmed that at weekends the premises closed at 01:00 with last sale of alcohol at 00:30. However, the Christmas and New Year dates did not fall at weekends this year. She was fully booked on those dates for the times applied for in the TENs. She had believed the TENs had been confirmed and had therefore accepted bookings for the extended hours.
 - b. Ellie Green advised that the TENs application was received by the Licensing Team on 5/12/19 and consultation was begun on 6/12/19. An acknowledgement was provided to the applicant that the TENs were deemed granted unless a Counter Notice was received. The applicant should wait until the end of the consultation period to action. The objection notice to all the TENs was emailed to Mrs Aydin on 9/12/19 and chased on 10/12/19. However, her understanding was that bookings were done previously to 5 or 6 December.
5. The statement of Charlotte Palmer, Senior Licensing Enforcement Officer, on behalf of Environmental Health, including:
- a. Environmental Health had authority to make representation to any TENs. There was concern in this case as this premises had a history of

LICENSING SUB-COMMITTEE - 18.12.2019

complaints. There had been a review of the licence in 2016 as live music had been at such a level as to be a statutory noise nuisance, leading to serving of an Abatement Notice, which had subsequently been breached.

- b. There were residential properties above the venue, and the sound insulation was poor. The Licensing Authority did not think this was a suitable venue for live music.
 - c. The premises licence would be reviewed and amended conditions sought.
 - d. Though there had been no noise complaints in 2018, there had been seven in 2017 and five this year, and from more than one complainant. A complaint to the out of hours noise team on 18/10/19 was made at 23:35 and another call on 19/10/19 advised that noise was happening regularly. A warning email was sent to the venue.
 - e. A further complaint regarding loud music was received on 6/12/19. An Authorised Officer visited and witnessed music, singing and drums at a level that neighbours would be unable to sleep or to hear their television and it was a statutory nuisance. The officer noticed that the stage had been moved to the front of the venue, not in keeping with the premises plan, and meaning that the speakers were by the door and windows, making noise escape more likely. The noise Abatement Notice served in 2016 was still in place, and there would therefore be consequences of breaching the Abatement Notice, of which Mrs Aydin had been advised.
 - f. Correspondence with the applicant was shown in the agenda pack. The Council encouraged early submission of TENs. Mrs Aydin's situation was understood, but financial considerations could not be given weight in relation to licensing decisions. That there was a famous musician performing on 6/12/19 was also understood, but that the noise was not able to be contained was worrying and that it had been a statutory nuisance.
 - g. There had been previous problems and complaints in respect of the venue. There was no evidence that complaints were malicious. The noise nuisance was also witnessed by officers.
 - h. It must be ensured that residents were not negatively affected by licensed premises, and in this locality it was considered that residents would be affected by noise from this venue.
 - i. This was the first case in years when Environmental Health had made objection to a TEN. This decision had not been taken lightly.
6. Charlotte Palmer responded to questions, including:
- a. In response to the Chair's queries about the 12 complaints since 2017, they were not all from different sources, but it was assumed that they came from residents in the parade of shops.
 - b. In response to queries about the noise inhibitor, it was advised that Condition 20 in the existing licence covered the noise limiting device requirements. It was also advised that a TEN would overrule the

LICENSING SUB-COMMITTEE - 18.12.2019

- current licence so the licence conditions would not necessarily have to be complied with, but that it was an option for the sub committee to issue a Counter Notice with conditions under section 106(A) of the Act.
- c. In response to Mrs Aydin's point that neighbours she visited yesterday supported her application, it was advised this did not mean that other residents were not affected. When officers visited on 6/12/19 residents were clearly being affected. The officers were independent and had identified a statutory nuisance. Also, Mrs Aydin's evidence had not been submitted prior to the hearing and could not be corroborated as the individuals were not present.
 - d. In response to the Chair's queries regarding the licence review, it was confirmed that the Licensing Authority would be submitting a review in January as a result of breaching the Abatement Notice.
 - e. In response to Members' further queries, it was clarified that there were no seasonal variations on this licence, but that later licensed hours were permitted at weekends than on weekdays.
7. The summary statement by Ellie Green, Principal Licensing Officer, that having heard all the representations it was for the Licensing Sub Committee to consider whether the two TEN applications were appropriate and in support of the licensing objectives. Financial issues may not be taken into consideration. The potential steps the sub committee may be minded to take were set out in the officers' covering report, along with relevant guidance.
 8. The summary statement by Mrs Songul Aydin, the applicant, that she had and would take steps to cut down any noise including moving the stage back and putting up heavy curtains to the windows, and using sound proofing and the sound limiter. Her friend in support advised that Mrs Aydin was feeling overwhelmed by the issue, but she was aware of her mistakes on 6/12/19 and had taken steps including moving the stage and ordering thick curtains, and that she had a sound inhibitor. Because of the email she received, she understood the TENs were granted and had taken bookings, did the shopping, and made a staff rota. Having the TENs cancelled would mean a great business loss. Mrs Aydin was doing her best and asked the sub committee to reconsider.
 9. The summary statement of Charlotte Palmer, Senior Licensing Enforcement Officer, that the premises had a history of noise problems. The most recent complaint related to live music and was witnessed by officers. The effect on residents meant that she supported Environmental Health and urged the sub committee to reject the applications as they would undermine the prevention of nuisance licensing objective.

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

LICENSING SUB-COMMITTEE - 18.12.2019

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:

“We have heard and given consideration to all the written and oral evidence presented to Licensing Sub Committee (LSC) by the Applicant and Environmental Health.

We have been careful to consider only the Licensing issues in this matter and not direct ourselves to other issues.

We have considered the guidance under S182 of the Licensing Act 2003 and the LBE Licensing Policy.

The LSC in making its decision has determined to grant the TENs under S106 with the following conditions:

Condition 1

Open to the Public: 08:00 – 02:00

Supply of Alcohol – On Supplies: 08:00 – 01:00

Live Music – Indoors: 20:30 – 00:30

Recorded Music – Indoors: 20:30 – 00:30

Performance of Dance: 20:00 – 00:30

Late Night Refreshment – Indoors: 23:00 – 00:30

Condition 2

Apply all the mandatory conditions currently existent on the Premises Licence at present as provided at page 10 – 12 of the agenda pack.

Particularly highlighting Condition 20 in respect of noise.

3. The Licensing Sub-Committee resolved to issue a Counter Notice under section 106A(2) of the 2003 Act and the event can take place subject to the conditions above.

372

MINUTES OF PREVIOUS MEETING

RECEIVED the minutes of the meeting held on Wednesday 27 November 2019.

LICENSING SUB-COMMITTEE - 18.12.2019

AGREED the minutes of the meeting held on Wednesday 27 November 2019 as a correct record.

This page is intentionally left blank