

# Public Document Pack



## LICENSING SUB-COMMITTEE

Wednesday, 18 December 2019 at 10.00 am  
Council Chamber, Civic Centre, Silver Street,  
Enfield, EN1 3XA

Contact: Jane Creer  
Committee Secretary  
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Council website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

Councillors : Chris Bond (Chair), Sinan Boztas and Jim Steven

## 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. 162) (Pages 1 - 40)

Application for a new premises licence.

### 4. MINUTES OF PREVIOUS MEETING (Pages 41 - 48)

To receive and agree the minutes of the meeting held on Wednesday 27 November 2019.

### 5. EXCLUSION OF THE PRESS AND PUBLIC

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

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

**COMMITTEE:**  
Licensing Sub-Committee  
18 December 2019

**REPORT OF :**  
Principal Licensing Officer

**LEGISLATION :**  
Licensing Act 2003

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

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

**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 At the time of writing this report, the applicant has not provided any written response to the objections, but this is expected by Tuesday 10 December and will be produced in a supplementary report.

#### **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 6. 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)].

##### **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**

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**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

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**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](mailto: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	<input type="text" value="Ali"/>
* Family name	<input type="text" value="Serbet"/>
* E-mail	<input type="text" value="[REDACTED]"/>
Main telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>

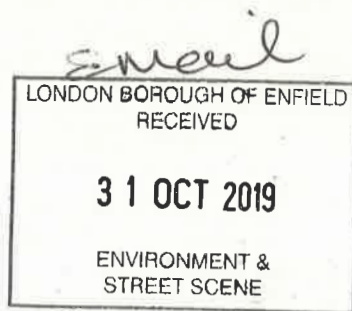
Include country code.

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.



*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

[Redacted address details]

**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

[Redacted contact details]

[Right to work share code input field]

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?

30 / 11 / 2019  
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	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SATURDAY**

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SUNDAY**

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

Family name

Date of birth

dd      mm      yyyy

**Continued from previous page...**

**Enter the contact's address**

Building number or name

Street

District

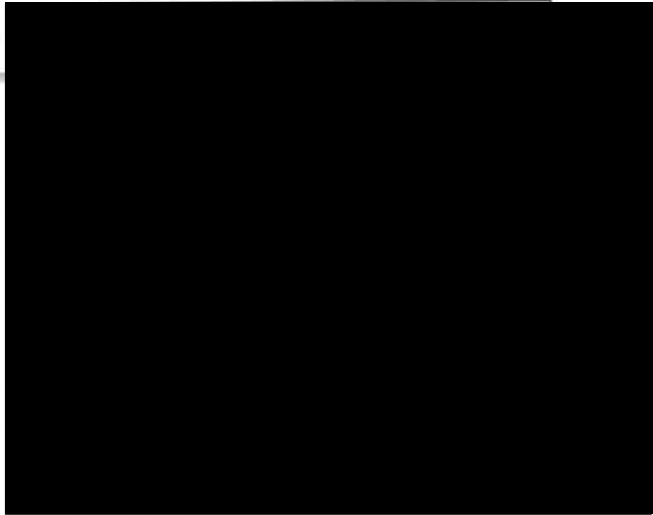
City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)



Issuing licensing authority  
(if known)

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**



**Consent of individual to being specified as premises supervisor**

I Ali Serbet,  
*[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 Premises Licence & DPS  
*[type of application]*

by

Ali Serbet,  
*[name of applicant]*

relating to a premises licence N/A  
*[number of existing licence, if any]*

for

212-214 Chase Side  
ENFIELD  
EN2 0QX

\_\_\_\_\_  
*[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

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



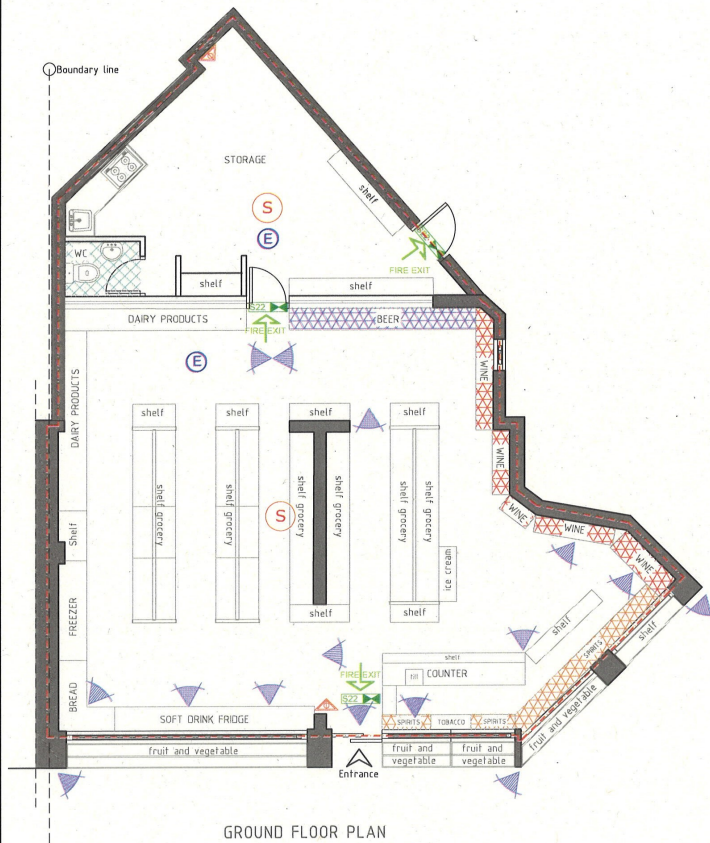
Name (please print)

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.

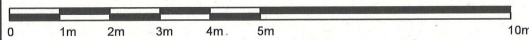


GROUND FLOOR PLAN

**DRAWING SYMBOL KEYS**

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

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				



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# 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.

**7<sup>th</sup> 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.

**17<sup>th</sup> 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.

**14<sup>th</sup> 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.'

**28<sup>th</sup> 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.

**28<sup>th</sup> 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](mailto:charlotte.palmer@enfield.gov.uk)

Signed: CPALMER

Date: 18/11/2019

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**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 28<sup>th</sup> October 2019 it was actually date stamped as having been received by the Licensing Team on 21<sup>st</sup> 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](mailto: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 18<sup>th</sup> 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](mailto:NAMailbox-.Licensing@met.police.uk)

Date: 29<sup>th</sup> November 2019



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# Annex 6

## 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.

### CONDITIONS OFFERED BY THE APPLICANT:

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. Any incidents of a criminal nature that may occur on the premises will be reported to the Police.
4. The premise licence holder 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:
  - (a) Cameras must be sited to observe the entrance and exit doors both inside and outside.
  - (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 viewing till areas must capture frames not less than 50% of screen.
  - (d) Cameras overlooking floor areas should be wide angled to give an overview of the premises.
  - (e) Be capable of visually confirming the nature of the crime committed.
  - (f) Provide a linked record of the date, time and place of any image.
  - (g) Provide good quality images -colour during opening times.
  - (h) Operate under existing light levels within and outside the premises.
  - (i) Have the recording device located in a secure area or locked cabinet.
  - (j) Have a monitor to review images and recorded picture quality.
  - (k) Be regularly maintained to ensure continuous quality of image capture retention.

- (l) Have signage displayed in the customer area to advise that CCTV is in operation.
- (m) Digital images must be kept for 31 days.
- (n) Police will have access to images at any reasonable time.
- (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 on request.

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

#### **PROPOSED BY LICENSING AUTHORITY, NOT AGREED BY APPLICANT**

- 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.**

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## LICENSING SUB-COMMITTEE - 27.11.2019

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON WEDNESDAY, 27 NOVEMBER 2019**

**COUNCILLORS**

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

**ABSENT**

**OFFICERS:** Ellie Green (Principal Licensing Officer), Charlotte Palmer (Senior Licensing Enforcement Officer), Antonia Mankanjuola (Legal Services Representative), Jane Creer (Democratic Services)

**Also Attending:** (Item 3)  
2 representatives on behalf of The Queens Head (applicant)  
5 x Interested Parties  
Councillor Maria Alexandrou, Winchmore Hill Ward Councillor  
(Item 4)  
2 representatives on behalf of The Bird in Hand (applicant)

**342****WELCOME AND APOLOGIES FOR ABSENCE**

Councillor Bond (Chair) welcomed all those present and accepted an immediate request for the start of the meeting to be postponed to permit a request for time for the parties to liaise in respect of the first application on the agenda.

The meeting re-started at 10:36am.

**343****DECLARATION OF INTERESTS**

NOTED there were no declarations of interest.

**344****QUEENS HEAD, 41 - 43 STATION ROAD, WINCHMORE HILL, LONDON, N21 3NB**

NOTED

1. The statement by the solicitor for Bermondsey Pub Company Limited (the applicant) that he had instructions to withdraw the application. The pub valued its neighbours and would rather involve them in further discussions and continue operating as it had been, with occasional use of Temporary Event Notices (TENs).

**LICENSING SUB-COMMITTEE - 27.11.2019**

2. Clarification that the pub may apply for 15 TENs per year, for up to 21 days in total.
3. There was no requirement for the Licensing Sub-Committee to make a decision as the application was withdrawn by the applicant.

**345**

**THE BIRD IN HAND PUBLIC HOUSE, 100 TOTTENHALL ROAD, LONDON, N13 6DG**

RECEIVED the application made by B Lads Limited for the premises situated at The Bird in Hand, 100 Tottenham Road, London, N13 6DG for a Variation of Premises Licence (LN/201500059).

NOTED

1. The introduction by Ellie Green, Principal Licensing Officer, including:
  - a. The application was for a variation of the premises licence of The Bird in Hand pub.
  - b. This was a large old pub with a large beer garden. There were a couple of shops next to the premises, but this was a predominantly residential area.
  - c. The application sought to remove Condition 3 from the licence and add an additional condition to allow use of the beer garden until the end of the permitted hours for the sale of alcohol. Apologies were given that para 2.2 of the officer's report set out incorrect times.
  - d. The suggested replacement Condition 3a sought by the applicant was set out in Annex 7 of the report. The second part of the condition referred to a member of staff being present and confused suggested Condition 21. It was therefore recommended that Condition 21 should apply as it stood and that the second sentence of Condition 3a be removed.
  - e. All conditions offered by the applicant or sought by the Licensing Authority would only apply if the extended hours were granted. The remaining licensable activities would remain the same.
  - f. All responsible authorities were consulted, but the only objection came from the Licensing Authority: this representation was set out from page 61 of the agenda pack.
  - g. There had been an officer visit and a recommendation that the plan attached to the licence be modified to show the garden area and all exits from it. This new plan had now been submitted and agreed.
  - h. The Licensing Authority did not agree to the variation application and would be represented at the hearing by Charlotte Palmer, Senior Licensing Enforcement Officer.
  - i. Two other representations were received: from Councillor Achilleas Georgiou (Bowes Ward Councillor) and from one more local resident who lived in Wolves Lane. These were referred to as IP1 and IP2 and

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the representations were set out on page 71 and page 73 of the agenda pack. The representations were based on the licensing objectives of prevention of public nuisance, prevention of crime and disorder, and public safety. Interested parties were not present at the hearing.

- j. The applicant had provided additional supporting information as set out in Annex 6 of the report. The applicant had copied the Principal Licensing Officer into all email exchanges with London Fire Brigade and the risk assessment work, and all issues were addressed promptly. The applicant Lale Hassan, Premises Licence Holder, was present on behalf of B Lads Limited, along with Mehmet Ali Arslan, Designated Premises Supervisor.

2. The statement of Lale Hassan, the applicant, including:

- a. The application was in respect of the beer garden. At the moment it was allowed to be used up to 23:00. After that, smokers were allowed to go out no more than 10 people at a time and were not allowed to take alcohol outside.
- b. The issue of concern was that people did not want to leave their drinks unattended while they went out for a cigarette.
- c. It was therefore sought that smokers be able to take alcohol outside until last orders, Sunday to Thursday 00:00 midnight, Friday and Saturday 01:00.
- d. At the moment, smokers could go outside to the front of the pub and, although there was door security, if customers walked off there was no control. Also nothing could be done to control people passing in the street, stopping to talk and leading to noise and a bigger group of people standing outside. If the beer garden was used, there would be more control and noise could be kept to a quiet level.
- e. When she took over the pub, it had been filled with those using and dealing drugs, but she had put things right and now attracted men, women, couples and children and their parents. At first there had been a lot of complaints as it was not a nice pub. Now complaints were minimal. Neighbours had a mobile number and the pub number to get in contact to let them know any issues so they could be dealt with straight away.
- f. Customers were still nervous about leaving drinks on the side while they went outside to smoke in case the drinks were spiked or confused and drunk by someone else.
- g. The Licensing Authority wanted a limit on the number of people in the garden, but it was a large space which was two to three times larger than the inside of the pub and user numbers were not an issue. The garden had also been improved and a lot of money spent on it.
- h. Any complaints received by the pub had been about people outside at the front, not in the beer garden. Door supervisors could only control the area immediately outside at the front: as it was public highway there was nothing they could do if customers walked away.

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- i. A petition in support of the application had been organised signed by over 50 neighbours. Seven immediate neighbours had written in support, and they did not have an issue with people in the beer garden for extended hours, as they were already there.
  - j. The venue was very strict about barring customers. If anyone raised a hand in aggression or had a loud argument they were barred permanently. Anyone who caused trouble would never be allowed back in.
  - k. The changes in the pub had attracted new customers, including local people who had never been in to the pub previously. The pub had been featured on television's Sunday Brunch when there had been a kebab house within the pub. The pub was looking for a new chef to match what was previously offered.
  - l. There had been discussions with Licensing Authority officers when making this application.
  - m. A complaint in respect of noise had been proved to have been due to music from a neighbouring house and not from the pub.
  - n. It would be better if all customers were kept to the rear garden where noise levels and behaviour could be controlled.
3. Questions were responded to, including:
- a. In response to queries from the Chair, it was confirmed that smokers were allowed to take drinks in glasses outside the front of the pub. The applicant would be prepared to serve drinks in plastic containers for the rear garden if that would help the application. It was confirmed that the beer garden was in use all the time from morning to closing time, and that children were allowed on the premises with their parents up to 21:00.
4. The statement of Charlotte Palmer, Senior Licensing Enforcement Officer, including:
- a. The Licensing Authority representation in respect of the variation application was based on prevention of public nuisance and public safety.
  - b. Since the changes to the exit doors, there was no longer a concern regarding public safety, but it was still thought there should be a limit on numbers using the garden after 23:00 Monday to Saturday and 22:30 on Sunday.
  - c. The premises was in a predominantly residential area. Neighbouring residents could be disturbed by noise from unlimited numbers using the garden at times when the ambient noise levels were low at night.
  - d. The beer garden was large and could easily hold 100 people seated plus 100 people standing, as shown in the photographs on pages 67 – 69 of the agenda pack. The pictures also illustrated how close the garden was to residential properties.

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- e. The use of door supervisors to monitor the garden area was welcomed, and that the plan on the licence now included the garden.
  - f. There was a concern that residents could be affected by music and there should be a condition that the garden should not be used for regulated entertainment at any time, and that the whole of the garden should be covered by CCTV. These suggested conditions, numbered 22 and 23 had been agreed by the applicant today.
  - g. It was still considered that without restricting the number of people, use of the garden could be detrimental to local residents. Having heard the submissions from the applicant, the Licensing Authority understood the feeling it would be easier to control smokers in the garden and accepted that customers may be reluctant to leave drinks unattended. The Sub Committee may want to consider a compromise by lifting the numbers for example to 20 or 30 people at one time, and to remove the part that drinks may not be taken outside. However, door supervisors may find it harder to get people to go back inside in that case.
  - h. Another proposed condition agreed with the applicant was that when employed to work at the premises door supervisors shall instruct all customers who wish to smoke to do so in the garden area and not to smoke outside the front of the premises or to take open drinks outside the front of the premises. It would be better to have all smokers controlled in the rear garden, but the Licensing Authority still felt there should be control over numbers.
5. Questions were responded to, including:
- a. In response to queries from the Chair, it was confirmed that additional Conditions 22 and 23 were agreed and already in place, and that door supervisors were already employed at the pub. It was preferred that only smokers went out to the garden after the set times. There was no restriction on the number of people going outside to smoke at the front, and that area was swept every night and morning.
  - b. In response to Councillor Steven's queries, it was confirmed there were two exit doors to the garden, and then a lean-to with tables, then a ramp to a higher, uncovered part of the garden. The higher part got used much less in winter, and smokers usually stayed in the lower part in poorer weather.
6. The summary statement of Ellie Green, Principal Licensing Officer, that having heard all the representations it was for the Licensing Sub Committee to consider whether the application was appropriate and in support of the licensing objectives. The potential steps the Sub Committee may be minded to take were set out in the officers' covering report, along with relevant guidance and policies to assist. The updated proposed conditions had been circulated to all parties.
7. The summary statement of Charlotte Palmer, Senior Licensing Enforcement Officer, including that, given the close proximity of the

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premises to local residents, the Licensing Authority still objected to the application and believed that the current conditions were still appropriate.

8. The summary statement of Lale Hassan, the applicant, including:
  - a. She would not want a restriction on the numbers in the garden, but if the sub committee felt that one door supervisor was not enough and that two were needed she would be happy to arrange that.
  - b. There were no restrictions on numbers in the garden until 23:00 and there had been no complaints.
  - c. They were responsible landlords and had a good relationship with neighbouring residents: neighbours were also their customers.
  - d. Some people wanted to take drinks outside and that should be permitted as the pub could control the noise levels.
  - e. It was acknowledged that the licence could be reviewed if there were complaints, but the pub did not want to cause nuisance to neighbours, and wanted to maintain a good relationship with them.

RESOLVED that

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

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

2. The Chairman made the following statement:

“The Licensing Sub-Committee (LSC) read and listened to all the representations of the parties and decided to grant the application in part because it was not persuaded that an increase in the hours proposed by the applicant’s application for a variation would promote the licensing objective preventing public nuisance.

The LSC noted that the representations made reference to noise nuisance and while a lot of the applicant’s neighbours support the application there are a few who have made complaints about noise nuisance in the past. The LSC therefore resolved that the hours remain as they are and impose additional conditions below.”

3. The Licensing Sub-Committee resolved that the application be granted in part as follows:

**Conditions (in accordance with Conditions in LSC Report – Annex 7):**



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(i) Conditions 1 to 2, and 4 – 19 which are not disputed,

(ii) **AND Conditions 3C, and 20 – 23.**

- The use of the rear beer garden shall be limited from the permitted opening hours to 23:00 on Monday to Saturday and from permitted opening hours to 22:30 on Sunday. After these times, this area may only be used as the designated smoking area, with a maximum of 30 people at one time who may bring their drinks outside with them only while smoking.
- The garden shall not be used for regulated entertainment at any time.
- The whole of the garden area shall be covered by CCTV.
- When employed to work at the premises door supervisors shall instruct all customers who wish to smoke to do so in the garden area and not to smoke outside the front of the premises or to take open drinks outside the front of the premises.

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**MINUTES OF PREVIOUS MEETINGS**

RECEIVED the minutes of the meetings held on Wednesday 16 October 2019 and Wednesday 6 November 2019.

**AGREED** the minutes of the meetings held on Wednesday 16 October 2019 and Wednesday 6 November 2019 as a correct record.

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