

# Public Document Pack



## LICENSING SUB-COMMITTEE

Wednesday, 20 June 2007 at 10.00 am  
Council Chamber, Civic Centre, Silver Street,  
Enfield, EN1 3XA

Contact: Jackie Barrett  
Committee Secretary  
Direct : 020-8379-4003  
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Ext: 4093  
Fax: 020-8379-3177  
Textphone: 020 8379 4419  
E-mail: jackie.barrett@enfield.gov.uk  
Council website: www.enfield.gov.uk

Councillors : John Boast (Chairman), Chris Bond and Norman Ford

## AMENDED AGENDA – PART 1

1. **WELCOME AND INTRODUCTIONS**
2. **APOLOGIES FOR ABSENCE**
3. **DECLARATION OF INTERESTS** (Pages 1 - 2)

Members are invited to identify any personal or prejudicial interests relevant to items on the agenda.

Please refer to the attached guidance note.

4. **APPLICATIONS FOR NEW AND/OR FOR VARIATION OF EXISTING PREMISES LICENCE(S) AND/OR CLUB PREMISES CERTIFICATE(S)** (Pages 3 - 4)

To receive the report of the Head of Licensing asking the sub-committee to consider the following application:

5. **TESCO 25 WINDMILL HILL ENFIELD EN2 7AE** (Pages 5 - 50)

Application is made by Tesco Stores Ltd for a New Premises Licence

6. **COSTCUTTER 6-8 THE GREEN, WINCHMORE HILL N21 1AY**

Application is made by Mr Mohmmmed Salim for a variation of his Premises Licence.

**7. TEMPORARY EVENTS NOTICE: LUCKYS - 312A GREEN LANES, N13 5TW**

To receive a verbal report from the Head of Licensing

**8. MINUTES OF THE MEETINGS HELD ON 16 MAY 2007 AND 30 MAY 2007 (Pages 51 - 74)**

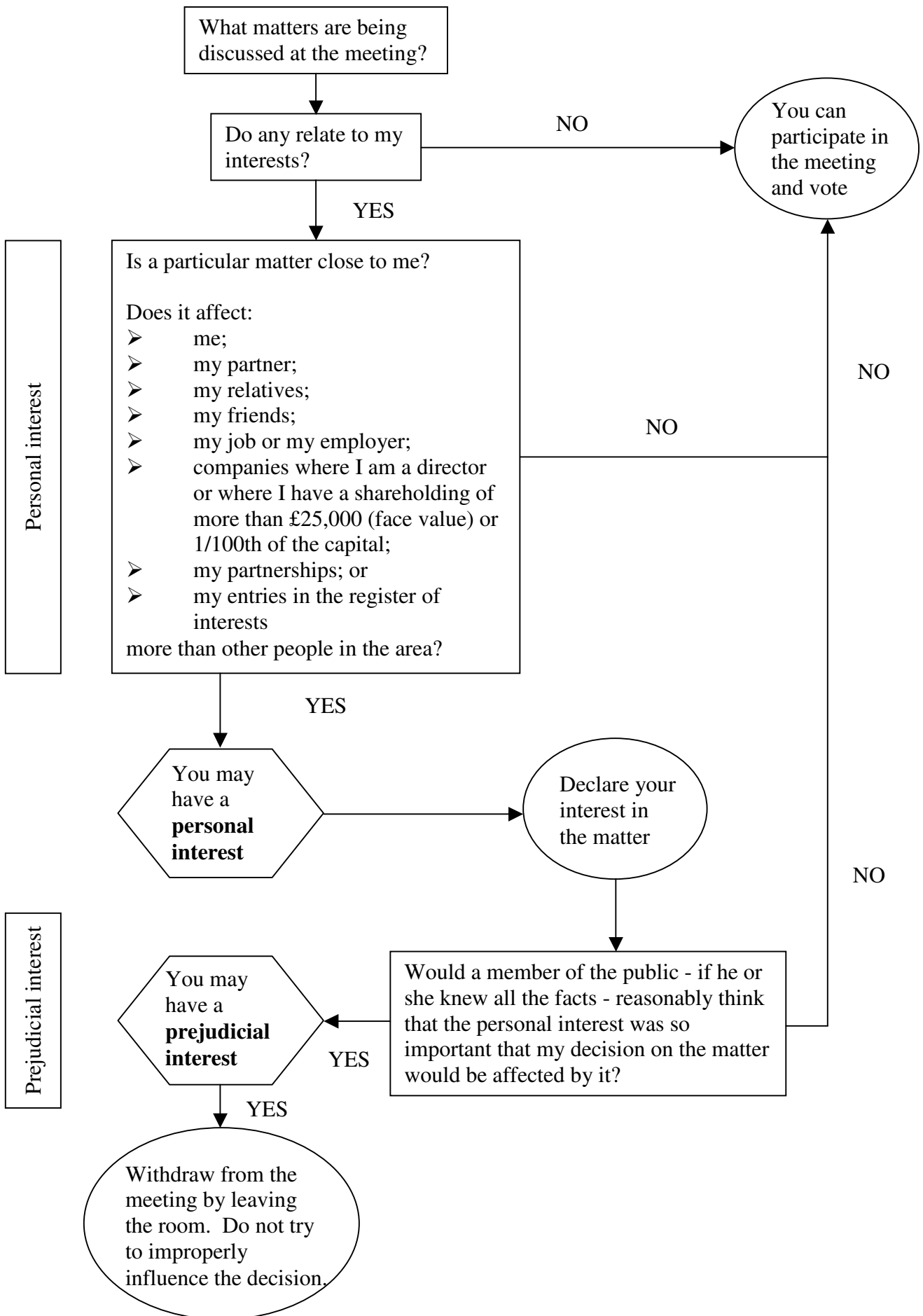
To agree the minutes of the meetings held on 16 May 2007 and 30 May 2007.

**9. 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 listed on 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).

Members are asked to note that no items have currently been identified for consideration in Part 2 of the Agenda.

**DECLARING INTERESTS FLOWCHART - QUESTIONS TO ASK YOURSELF**



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**MUNICIPAL YEAR 2007/08 REPORT NO. 24**

**COMMITTEE :**  
Licensing Sub-Committee – 20 June 2007

**REPORT OF :**  
Head of Licensing

Agenda - Part	Item
<b>SUBJECT :</b> Application(s) under the Licensing Act 2003	
<b>WARD(S) :</b> Grange & Winchmore Hill	

**SUMMARY :**

1. The Sub-Committee is asked to consider application(s) for new and/or for variation of existing Premises Licence(s) and/or Club Premises Certificate(s), as attached.

**GENERAL INFORMATION :**

2. The application(s) has/have been advertised in accordance with the requirements of the Licensing Act 2003.
3. Each of the Responsible Authorities were consulted in respect of the application(s).

**RECOMMENDATION :**

4. In respect of each application, the Licensing Sub-Committee, having regard to the representations, must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
  - (a) to grant the Premises Licence/Club Premises Certificate subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
  - (b) to exclude from the scope of the Premises Licence/Club Premises Certificate any of the licensable activities to which the application relates;
  - (c) to refuse to specify a person in the Premises Licence as the premises supervisor;
  - (d) to reject the application.

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

**Contact Officer :**  
Mark Galvayne on 020 8379 4743

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Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

ANNEX 01/01  
ENVIRONMENT, STREET SCENE & PARKS

I/We	Tesco Stores Ltd
------	------------------

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Tesco Stores Ltd 25 Windmill Hill Enfield			
Post town	London	Post code	EN2 7AE

Telephone number at premises (if any)	-
Non-domestic rateable value of premises	Not Yet Assessed, but enclosing cheque for £315 to cover fee

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i. as a limited company	X	please complete section (B)
	ii. as a partnership		please complete section (B)
	iii. as an unincorporated association or		please complete section (B)
	iv. other (for example a statutory corporation)		please complete section (B)
c)	a recognised club		please complete section (B)

WK/207005737  
GR



d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

		Please tick yes
<input checked="" type="checkbox"/>	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or	X
<input type="checkbox"/>	I am making the application pursuant to a	
<input type="checkbox"/>	• statutory function or	
<input type="checkbox"/>	• a function discharged by virtue of Her Majesty's prerogative	

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				Please tick yes	
Current postal address if different from premises address					
Post Town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				Please tick yes	
Current postal address if different from premises address					
Post Town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					



**(B) OTHER APPLICANTS**

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

Name Tesco Stores Ltd
Address Tesco House Delamare Road Cheshunt Waltham Cross Herts EN8 9SL
Registered number (where applicable) Company Number: 00519500
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01707 298345
E-mail address (optional) <a href="mailto:licensing.team@uk.tesco.com">licensing.team@uk.tesco.com</a>

**Part 3 Operating Schedule**

When do you want the premises licence to start?	Day 29th Month June Year 2007
If you wish the licence to be valid only for a limited period, when do you want it to end?	Day Month Year

Please give a general description of the premises (please read guidance note1)

Retail premises (supermarket) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises. Sales of alcohol for consumption off the premises are made from the supermarket sales floor as shown on the enclosed plan.

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

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

<b>Provision of regulated entertainment</b>		<b>Please tick yes</b>
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	
<b>Provision of entertainment facilities:</b>		
i)	making music (if ticking yes, fill in box I)	
j)	dancing (if ticking yes, fill in box J)	

k)	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	
<b>Provision of late night refreshment</b> (if ticking yes, fill in box L)		
<b>Supply of alcohol</b> (if ticking yes, fill in box M)		X

In all cases complete boxes N, O and P

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					



M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises		
Day	Start	Finish		Off the premises	X	
				Both		
Mon	06.00	23.00		<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  N/A		
Tue	06.00	23.00				
Wed	06.00	23.00				
Thur	06.00	23.00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			
Fri	06.00	23.00				
Sat	06.00	23.00				
Sun	06.00	23.00				

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

<b>Name</b>	Greg Bartley
<b>Address</b>	39 Offley Road Hitchin Herts
<b>Postcode</b>	SG5 2BB
<b>Personal Licence number (if known)</b>	HARLOW/PERS/0094
<b>Issuing licensing authority (if known)</b>	Harlow District Council

**N**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A

**O**

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)	
Day	Start	Finish	N/A	
Mon	06.00	23.00		
Tue	06.00	23.00		
Wed	06.00	23.00		
Thur	06.00	23.00		Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	06.00	23.00		
Sat	06.00	23.00		
Sun	06.00	23.00		

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

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

We are a national retailer that sells alcohol as part of a broad offering of goods and services. We have held off-licences in our stores for many years and are an approved British Institute of Inn-keeping examination centre. We have written training policies and formal training programmes are in place, which ensure our people are equipped to meet all licensing objectives. All training and revision/refresher materials are reviewed regularly and are currently being rewritten to reflect the requirements of the new Act. We have introduced our 'Think 21' policy to all of our stores in July 2004, this policy is brought to customer's attention through point of sale material at the checkout and wherever alcohol is displayed for sale. We take legal compliance very seriously and in addition to local training we employ a central alcohol licensing compliance manager and have a compliance committee.

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

The premises will have digital CCTV system that covers many areas of the shop floor, including the proposed area which will be used for beer and wine, should we be successful with our application. Images will be retained for a minimum of 21 days and made available on enforcement request. A member of the Management team will be on the premises all the time the store is open. Checkout area will be constantly manned whilst the store is open.

**c) Public safety**

A member of the Management team will be on the premises all the time the store is open and will be trained to manage the store including looking after the safety of the public. The store will adhere to all rules and regulations relating to public safety.

**d) The prevention of public nuisance**

The store intends to be an active member of the community. We will be happy to liaise with Police and enforcement authorities should the need arise.

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

All staff will be trained and regularly refreshed in the corporate 'Think 21' Policy. Staff will be trained to look at the customer and 'Think 21' when selling age restricted products. A till prompt will appear on the initial sale of alcohol that will remind the seller of the Think 21 policy and remind staff not to sell alcohol to anyone under the age of 18. When alcohol is refused by the seller after the product has been scanned the refusal will be recorded in a report that can be produced at store level on a weekly basis. The store will display signage around the premises informing both staff and customers of our 'Think 21' policy.




		Please tick yes
<input type="checkbox"/>	I have made or enclosed payment of the fee	X
<input type="checkbox"/>	I have enclosed the plan of the premises	X
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable	X
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable	X
<input type="checkbox"/>	I understand that I must now advertise my application	X
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected	X

**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**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	10/04/2007
Capacity	Greg Bartley - Licensing Manager

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (Please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Greg Bartley  
Licensing Team, Tesco Stores Ltd, Cirrus Building C, Shire Park

Post town	Welwyn Garden City	Post code	AL7 1ZR
Telephone number (if any)	01707 298348		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			









## LICENCE APPLICATION ASSESSMENT - POLICE

Application number - 206

### Name and address of premises

Tesco 25 Windmill Hill EN2.

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 in particular on the grounds of crime and disorder, for the following reasons:

There is limited information in the application regarding the CCTV system. CCTV is an integral part of any security system at licensed premises. It has an important role in deterring crime and gathering evidence if crime is committed. It must reach the required standard to ensure its integrity.

There are no details regarding the alarm system to installed. An alarm system is an integral part of any security system at licensed premises. It has an important role in deterring crime and gathering evidence if crime is committed. It must reach the required standard to ensure its integrity.

I am of the opinion that the risk to the Council's objectives can be mitigated by attaching conditions to the Licence as follows:

### Condition 1

The premises must be fitted with a digital Closed Circuit Television (CCTV) system, which must conform to the following points:

1. If the CCTV equipment is inoperative or not working to the satisfaction of the Police or Licensing Authority, the premises shall not be used for licensable activities unless with prior agreement from the Police.
2. Cameras must be sited to observe the entrance door both inside and outside, the counter areas and all alcohol displays.
3. 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 – not less than 120% of screen.
4. Other cameras must capture frames not less than 50% of screen.
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.

12. Recorded images must be of sufficient quality that persons can be identified from the recorded pictures as well as the live view.
13. Be regularly maintained to ensure continuous quality of image capture and retention.
14. Comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice.
15. Have signage displayed in the customer area to advise that CCTV is in operation.
16. Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes.
17. Digital images must be kept for 31 days.
18. Checks should be frequently undertaken to ensure that the equipment performs properly and that all the cameras are operational and a log kept.
19. The medium on which the images have been recorded should not be used when it has become apparent that the quality of the images has deteriorated.
20. Access to recorded images should be restricted to those staff that need to have access in order to achieve the purposes of using the equipment.
21. All access to the medium on which the images are recorded should be documented
22. Police will have access to images at any reasonable time.
23. 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.
24. Disclosure of the recorded images to third parties should only be made in limited and prescribed circumstances, law enforcement agencies, Prosecution agencies, relevant legal representatives and people whose images have been recorded and retained.

#### Condition 2

The premises must be fitted with an alarm system to EN 50131, which is capable of confirmation and incorporate a panic button facility at the counter.

Officer: Dave Murphy

Date: 18<sup>th</sup> April 2007



Property Index number: PI/000155110

**ENVIRONMENTAL HEALTH & REGULATION – ENVIRONMENTAL HEALTH  
LICENCE APPLICATION ASSESSMENT**

**Name and Address of Premises: Tesco Stores Ltd, 25 Windmill Hill,  
Enfield, EN2 7AE**

**Worksheet Number: WK/20705737**

**Type of Licence : New Premises Licence**

**Hours applied for: Hours of Opening Monday to Sunday 06:00 to 23:00 hours  
Sale of Alcohol Monday to Sunday 06:00 to 23:00 hours**

The premises are located in a parade of shops on Windmill Hill with residential premises above. On the opposite side of Windmill Hill is Enfield Chase station and other commercial premises, which are mainly offices. The proposed premises is on the corner of Florence Avenue, which is predominantly a residential road, with offices on the opposite corner. The shop unit is currently empty, but was previously a car sales showroom.

There are a number of licensed premises nearby in Windmill Hill, namely:

- The Old Wheatsheaf PH at No. 3 which is licensed for the sale of alcohol on Monday to Thursday from 10:00 to 23:30 hours, on Friday and Saturday from 10:00 to 00:00 hours, and on Sunday from 10:00 to 23:30 hours.
- Beautiful South Restaurant at No. 25A which is licensed for the sale of alcohol on Monday to Saturday from 11:00 to 00:00 hours, and on Sunday from 12:00 to 23:30 hours.
- Budgens at Nos. 38/42 which is licensed for the sale of alcohol on Monday to Saturday from 08:00 to 23:00 hours, and on Sunday from 10:00 to 22:30 hours.
- Burlingtons Fish Restaurant at No. 53 which is licensed for the sale of alcohol on Monday to Saturday from 11:00 to 00:00 hours, and on Sunday from 12:00 to 23:30 hours.
- Quixotes Restaurant at No. 57 which is licensed for the sale of alcohol on Monday to Saturday from 11:00 to 00:00 hours, and on Sunday from 12:00 to 00:00 hours.
- Nelito's Restaurant at Nos. 61/63 which is licensed for the sale of alcohol on Monday to Saturday from 11:00 to 00:00 hours, and on Sunday from 12:00 to 23:30 hours.
- Windmill Wines at No. 69 which is licensed for the sale of alcohol on Monday to Saturday from 08:00 to 23:00 hours, and on Sunday from 10:00 to 22:30 hours.
- The Poppadom Restaurant at No. 73 which is licensed for the sale of alcohol on Monday to Saturday from 11:00 to 00:00 hours, and on Sunday from 12:00 to 23:30 hours.

**Property Index number: PI/000155110**

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:

The proposed daily opening time of 06:00 hours is very likely to cause noise and disturbance to the residents of the flats above the parade of shops due to activities both within and to the rear of the premises in the early morning, and particularly at the weekends. This could be caused by the doors/shutters being opened, roll cages being moved in the small rear yard area, and by customers arriving and leaving.

Early morning deliveries could cause significant disturbance to nearby residents. The premises are located on the corner of Florence Avenue, which is a predominantly residential road, with offices on the opposite corner to the proposed Tesco site. The road is narrow and it is extremely likely that large vehicles delivering to the premises will cause considerable inconvenience to other road users, as well as noise disturbance from the vehicle's engine, reversing beepers and refrigeration unit, and from the roll cages as they are unloaded and loaded onto the vehicle.

There is also a slight potential for noise and disturbance later in the evening, however it is unlikely that nuisance to residents will be encouraged at the hours applied for. In general, it is proposed that the premises will close either at the same time or earlier than the other licensed premises nearby. The exception however being on Sunday evening, when the closing time is proposed to be ½ hour later than Budgens and Windmill Wines.

The current planning situation is that A1 (Retail) Use has been granted for the premises, but the application stated the use, hours of opening and hours for deliveries were to be confirmed. This information has not yet been submitted to the Planning Department.

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

- The likelihood of noise and disturbance to nearby residents from activities within the premises and in the yard area to the rear in the early morning, and particularly at the weekends.
- The potential for noise and disturbance to nearby residents from deliveries in the early morning.

**I recommend the following Conditions in addition to those consistent with the Operating Schedule in Annex 2:**

1. Hours for opening and the sale of alcohol shall be Monday to Saturday from 08:00 to 23:00 hours, and on Sunday from 10:00 to 22:30 hours.
2. Hours for deliveries to the premises shall be restricted to Monday to Saturday 08:00 to 19:00 hours, and no deliveries on Sundays or Bank Holidays.

Officer: Mrs S J Inwood

Tel: 020-8379-3706



Property Index number: PI/000155110



Signature: \_\_\_\_\_

Date: 9<sup>th</sup> May 2007

Duly Authorised Head of Service or Group Manager:



Signed:

Date: 11/05/07

I have for a number of years been with my own eyes seen Foreigners drinking alcohol at the end of Church Street, England because it makes them feel they are grown up. Then because they are grown up, handle drinking alcohol they become a nuisance to the public. Then there easily comes into question so we certainly do not need another outlet open by Tessa.

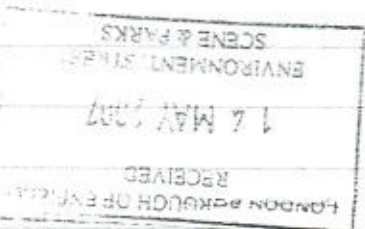
EN2 7AE

Middlesex

England

Dear Sir I have checked my name at 25 W. ... Hill  
 Re: Tessa application for

10<sup>th</sup> May 2007



EN2 8LN

Middlesex

England

185, Dunsen Drive

ANNEX 01/04



Yours sincerely  
Mr. N. J. CHANHAM

This letter is sent to my  
att. dated 7<sup>th</sup> May 2007.

END 7AE

~~Middleham~~

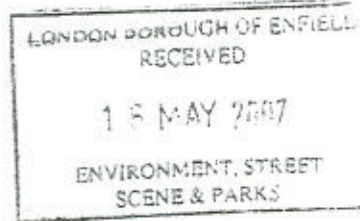
England

at 25 Windmill Hill

ANNEX 01/05

Mr G. Howard  
2, Florence Avenue  
Enfield  
EN2 8DE

PO Box 57  
B-Block North  
Civic Centre  
Enfield  
EN1 3XH



14/5/07

Dear Sir or Madam,

With regards to Tesco's application to sell alcohol at its intended new store on Windmill Hill. I would like to voice my objection for the following reasons.

1. Increased parking outside our house in the evening and blocking our drive way.
2. Teenagers hanging about, trying to buy alcohol and making a nuisance of themselves.
3. Deliveries to the premises in large Lorries at all hours of the day and night.
4. Increased levels of noise.
5. Cars parking at the rear of the premises.

In brief, Windmill Hill does not need another supermarket, especially not another Tesco's. There is a Budgens opposite and an Off Licence a few shops away and several Tesco outlets within a short drive away.

My wife contacted Enfield council several weeks ago regarding the premises and was told that we would be notified of any developments by letter. To date we have received none.

I find it very disturbing that we have not been consulted at any stage of this development, when it is obvious that it will have the greatest impact on our house hold, as the shop backs onto the side of our house.

Yours faithfully,

Mr G Howard.

14/05/07

Mrs P. Wastell  
P. Wastell

I am writing to you and your Dept to register my objections to Tesco's / and their agents as letting company in applying for a licence on the proposed 'Secret' site kept quiet by Enfield Council at the corner of Winmill Hill and Florence Avenue. In case you are unaware there are already three businesses selling alcohol in the immediate area and so there is no need for more especially as gangs of youths often haunt the immediate area outside high on drive - Also it would send the death knell for local business and the area in general.

To Licensing Dept  
% Mrs A. Allen



ANNEX 01/06  
P. Wastell  
41A Winmill Hill  
Enfield M20 0R  
Enf 7AE

14/05/07



Address:  
TESCO STORES LTD.  
25 WINDMILL HILL . EN2 7AE

ANNEX 01/07



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LONDON BOROUGH OF ENFIELD  
DEPARTMENT OF PLANNING AND  
BUILDING CONTROL  
CIVIC CENTRE, SILVER STREET  
ENFIELD, EN1 3XE  
TEL: 020 8379 1000  
FAX: 020 8379 3811

Scale 1:2500

Date 11/06/2007



TESCO, WINDMILL HILL - WK/207005696

**Annex 1 - Mandatory Conditions**

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

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

3. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
4. A CCTV system shall be installed, operated and maintained at the premises.
5. A member of the Management team shall be on the premises whenever the premises are open.
6. The check-out area shall be manned whenever the premises are open.
7. The 'Think 21' proof-of-age scheme shall be advertised and operated at the premises.
8. A record of refused alcohol sales shall be maintained at the premises.

**REQUESTED BY METROPOLITAN POLICE SERVICE :**

9. The premises must be fitted with a digital Closed Circuit Television (CCTV) system, which must conform to the following points: (1) If the CCTV equipment is inoperative or not working to the satisfaction of the Police or Licensing Authority, the premises shall not be used for licensable activities unless with prior agreement from the Police; (2) Cameras must be sited to observe the entrance door both inside and outside, the counter areas and all alcohol displays; (3) 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 – not less than 120% of screen; (4) Other cameras must capture frames not less than 50% of screen; (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) Record images as near to real time as possible; (12) Recorded images must



be of sufficient quality that persons can be identified from the recorded pictures as well as the live view; (13) Be regularly maintained to ensure continuous quality of image capture and retention; (14) Comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice; (15) Have signage displayed in the customer area to advise that CCTV is in operation; (16) Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes; (17) Digital images must be kept for 31 days; (18) Checks should be frequently undertaken to ensure that the equipment performs properly and that all the cameras are operational and a log kept; (19) The medium on which the images have been recorded should not be used when it has become apparent that the quality of the images has deteriorated; (20) Access to recorded images should be restricted to those staff that need to have access in order to achieve the purposes of using the equipment; (21) All access to the medium on which the images are recorded should be documented; (22) Police will have access to images at any reasonable time; (23) 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; (24) Disclosure of the recorded images to third parties should only be made in limited and prescribed circumstances, law enforcement agencies, Prosecution agencies, relevant legal representatives and people whose images have been recorded and retained.

10. The premises must be fitted with an alarm system to EN 50131, which is capable of confirmation and incorporate a panic button facility at the counter.

**REQUESTED BY ENVIRONMENTAL HEALTH SERVICE :**

11. Hours for deliveries to the premises shall be restricted to Monday to Saturday 08:00 to 19:00, and no deliveries on Sundays or Bank Holidays.

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

LICENSING SUB-COMMITTEE  
20 JUNE 2007

Reference : 02  
Premises : Costcutter  
6 – 8 The Green, Winchmore Hill N21 1AY  
Ward : Winchmore Hill

**Informative :**

On 23 August 2005 an unopposed application by Mr Sajed Hussain to convert an existing Justices Off Licence to a Premises Licence was granted by officers in accordance with delegated powers.

On 18 December 2006 an unopposed application by **Mr Mohammed Salim** for transfer of the Premises Licence was granted by officers in accordance with delegated authority.

The existing Premises Licence permits :

- (i) **Hours the premises are open to the public** : Sunday to Saturday from 00:00 to 00:00 i.e. 24-hours a day, 7-days a week).
- (ii) **Supply of alcohol (off supplies)** : Monday to Saturday from 08:00 to 23:00, on Sunday from 10:00 to 22:30, on Good Friday from 08:00 to 22:30 and on Christmas day from 12:00 to 15:00 and from 19:00 to 22:30.

A copy of the existing Premises Licence is attached as Annex 02/01

**Application :**

Application is made by **Mr Mohammed Salim** for variation of his Premises Licence. The application seeks :

- (i) **Hours the premises are open to the public** : no change.
- (iii) **Sale of alcohol** : Sunday to Saturday from 00:00 to 00:00 i.e. 24-hours a day, 7-days a week).

A copy of the application is attached as Annex 02/02.



**Representations :**

**1. Metropolitan Police :**

As conditions have been agreed, the representation has been withdrawn.

**2. Environmental Health :**

As conditions have been agreed, the representation has been withdrawn.

**3. Interested Party:**

The representation from Ms Goodfellow may be summarised as follows :

- (i) The area is blighted with alcohol-related late-night disorder.
- (ii) Youths will be encouraged to be outside until later at night.

A copy of the representation is attached as Annex 02/03.

**Response to the representation :**

On 7 June 2007 Mr Salim's representative wrote to the Licensing Unit in response to the representation made by Ms Goodfellow.

A copy of the letter is attached as Annex 02/04.

A copy of a location map of the premises is attached as Annex 02/05.

**Conditions :**

The conditions arising from this application are attached as Annex 02/06, none are disputed.

**Head of Licensing comments :**

The matters for determination relate to:

- (i) the extension of hours for licensable activities and times the premises are open to the public;
- (ii) whether any risks to nuisance that may be established are adequately addressed by the applicant;

These are matters for the Sub-Committee to determine having regard to the evidence of all parties and the Council's Licensing policy.

**PART A – PREMISES LICENCE**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/200501313

**Part 1 – Premises Details**

Postal address of premises :

Premises name : Costcutter

Telephone number : 020 8609 9441

Address : 6-8 The Green Winchmore Hill Southgate N21 1AY

Where the licence is time-limited, the dates : Not time limited

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

(1)	<b>Open to the Public - Whole premises</b>	
	Sunday :	00:00 - 00:00
	Monday :	00:00 - 00:00
	Tuesday :	00:00 - 00:00
	Wednesday :	00:00 - 00:00
	Thursday :	00:00 - 00:00
	Friday :	00:00 - 00:00
	Saturday :	00:00 - 00:00

(2)	<b>Supply of Alcohol - Off Supplies</b>	
	Sunday :	10:00 - 22:30
	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
	Good Friday	08:00 - 22:30
	Christmas Day	12:00 - 15:00 and 19:00 - 22:30

**Part 2**

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

Name :	Mr Mohammed Salim
Telephone number :	020 8609 8441
e-mail :	Not Provided
Address :	9 Dicey Avenue, Cricklewood, London, NW2 6AR

Registered number of holder (where applicable) :

--

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

Name :	Not applicable
Telephone number :	
Address :	

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

Name :	Mr Mohammed Salim
Telephone number :	020 8609 9441
e-mail :	Not provided
Address :	Mr Mohammed Salim, 9 Dicey Avenue, London, NW2 6AR

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 :	146850
Issuing Authority :	London Borough of Brent

Premises Licence LN/200501313 was first granted on 23 August 2005.

Signed : .....

Date : 26th March 2007

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





**Annex 1 - Mandatory Conditions**

1. **No supply of alcohol may be made under the premises licence:**
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
  
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

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

3. Alcohol shall not be sold or supplied except during the following permitted hours:
  - (a) On weekdays (other than Christmas Day or Good Friday) 08:00 - 23:00;
  - (b) On Sundays (other than Christmas Day) 10:00 - 22:30;
  - (c) On Good Friday 08:00 - 22:30;
  - (d) On Christmas Day 12:00 - 15:00 & 19:00 - 22:30.
  
4. Alcohol shall not be sold in an open container or be consumed in the licensed premises.



Licensing Act 2003**PART B – PREMISES LICENCE SUMMARY**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number :

**Part 1 – Premises Details**

Postal address of premises :

Premises name :

Telephone number :

Address :

Where the licence is time-limited, the dates :

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

(1)	<b>Open to the Public - Whole premises</b>
	Sunday : 00:00 - 00:00
	Monday : 00:00 - 00:00
	Tuesday : 00:00 - 00:00
	Wednesday : 00:00 - 00:00
	Thursday : 00:00 - 00:00
	Friday : 00:00 - 00:00
	Saturday : 00:00 - 00:00

(2)	<b>Supply of Alcohol - Off Supplies</b>
	Sunday : 10:00 - 22:30
	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
	Good Friday 08:00 - 22:30
	Christmas Day 12:00 - 15:00 and 19:00 - 22:30



**Part 2**

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

Name : Mr Mohammed Salim

Address : 9 Dicey Avenue, Cricklewood, London, NW2 6AR

Registered number of holder (where applicable) :

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

Name : Not applicable

Address :

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

Mr Mohammed Salim

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

Not restricted

Premises Licence LN/200501313 was first granted on 23 August 2005.

Date : 26th March 2007

London Borough of Enfield  
Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH  
Telephone : 020 8379 3578





109299  
LSC - 13/6/7

Application to vary a premises licence under the Licensing Act 2003

ANNEX 02/02

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We MOHAMMED SALIM

*(Insert name(s) of applicant)*

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

<b>Premises licence number</b> LN/200501313
--

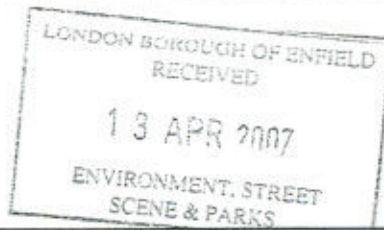
Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
COSTCUTTER 6-8 THE GREEN WINCHMORE HILL			
<b>Post town</b>	LONDON	<b>Post code</b>	N21 1AY

<b>Telephone number at premises (if any)</b>	0208 609 9441
<b>Non-domestic rateable value of premises</b>	£28000

Part 2 – Applicant details

<b>Daytime contact telephone number</b>	0207 328 2020		
<b>E-mail address (optional)</b>			
<b>Current postal address if different from premises address</b>	9 DICEY AVENUE CRICKLEWOOD		
<b>Post Town</b>	LONDON	<b>Postcode</b>	NW2 6AR



wk/207003947  
WM

**Part 3 - Variation**

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--	--	--

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

TO VARY THE HOURS FOR THE SALE BY RETAIL OF ALCOHOL TO 24 HOURS EVERY DAY

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

**Part 4 Operating Schedule**

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

**Provision of regulated entertainment**

**Please tick yes**

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

**Provision of entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

**Sale by retail of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>		
Mon	00.00	24.00			
Tue	00.00	24.00			
Wed	00.00	24.00			
Thur	00.00	24.00			
Fri	00.00	24.00			
Sat	00.00	24.00			
Sun	00.00	24.00			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		

**N**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)**

NONE



0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	00.00	24.00	
Sun	00.00	24.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
 NONE

Please tick yes

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

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

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

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

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

See below

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

A digital Closed Circuit Television System will be installed and maintained on the premises. The CCTV system will be recording at all times when the premises are open and the recordings shall be made available to the police and the council on request.

A Panic alarm system linked to the central Police Station will be installed.

**c) Public safety**

Fire safety equipment will be checked regularly and any requirements made by the Fire Safety Officer will be complied with.

**d) The prevention of public nuisance**

Signs will be displayed at the exit requesting customers to leave quietly and respect the neighbours.

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

All staff will be trained that alcohol will only be sold to persons who can produce photographic identification where there is any doubt that they are over the age of 18.

Children under the age of 14 will not be allowed on the premises after 21.00 until 07.00 unless accompanied by an adult.


Please tick yes

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

IT IS AN OFFENCE, 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

**Part 5 – Signatures** (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	12 <sup>th</sup> April 2007
Capacity	AUTHORISED AGENT

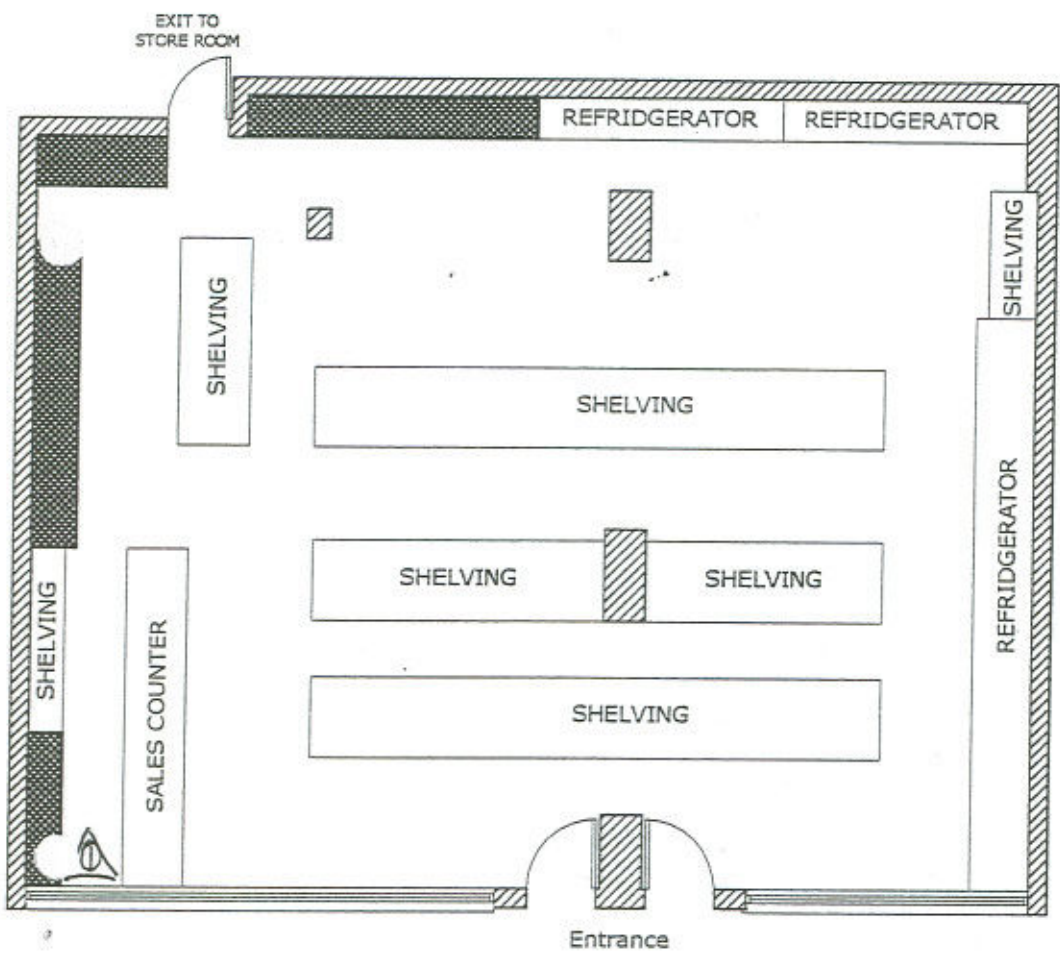
Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)  
 J & H LICENSING CONSULTANTS  
 35 WALFIELD AVENUE  
 WHETSTONE

Post town	LONDON	Post code	N20 9PS
Telephone number (if any)	0208 446 8643		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			





ANNEX 02/03



"Olivia Goodfellow"  
<olivia.g@virgin.net>  
19/04/2007 14:03

To <Licensing@enfield.gov.uk>  
cc  
bcc

Subject: Objection in N21

For the attention of Mark Galvayne or Angie Allin,

I wish to register my objection to proposals for Costcutter on the Green in Winchmore Hill, to extend the hours that they currently have in order to sell alcohol.

1. This is a conservation area that has already been blighted with alcohol related disorder late at night from local pubs.
2. As this outlet has been know in the past as a retailer of alcohol to under age drinkers, I can only see the situation getting worse and youngsters will surely be encouraged to be out later if there is an outlet open all night long.
3. With local supermarkets open until the evening, providing a similar service, why the need to serve drink well into the night? This is predominantly an area for families and mature persons and whose drinking habits do not generally match those of younger areas such as Islington and Camden.
4. The care and pride which local residents and businesses have for this area of the Borough, will be undermined by those who work in the aforementioned outlet, who do not give the impression of being local residents.

Olivia Goodfellow  
19 Wades Hill  
Winchmore Hill  
London N21 1BD

ANNEX 02/04

**J & H LICENSING CONSULTANTS**

35 Walfield Avenue  
Whetstone  
London N20 9PS  
Phone (020) 8446 8643  
Mobile 07930 991393  
trev.jenny@tinyworld.co.uk

7<sup>th</sup> June 2007

Our Reference: JH/MS9

Angie Allin  
Licensing Unit  
P.O.Box 57  
Civic Centre  
Silver Street  
Enfield  
Middx. EN1 3XH

Dear Madam

Re : Costcutter, 6-8 The Green, London N21 1AY

Further to your notification of a hearing to consider the application for the variation of a Premises Licence in respect of the above premises and we can confirm that the applicant, Mr Mohammed Salim, will attend the hearing on 20<sup>th</sup> June 2007 at 10.00 a.m. at the Council Chamber, Civic Centre, Silver Street, Enfield to make oral representations in support of the application. If Mr Salim is unable to attend, Mr Muhammad Nadeem will attend instead.

We are instructed that the applicant agrees to the conditions requested by the Environmental Health Service and the Police.

We would respectfully refer the Committee to Paragraph 6.2 and 6.3 of the Guidance issued under section 182 of the Licensing Act 2003. We would submit that shops should be permitted to sell alcohol during their normal trading hours unless there are exceptional reasons relating to the licensing objectives. The example given in the Guidance for restricting the hours is where a shop is known to be a 'focus for disturbance because youths congregate there and engage in nuisance and anti-social behaviour.'



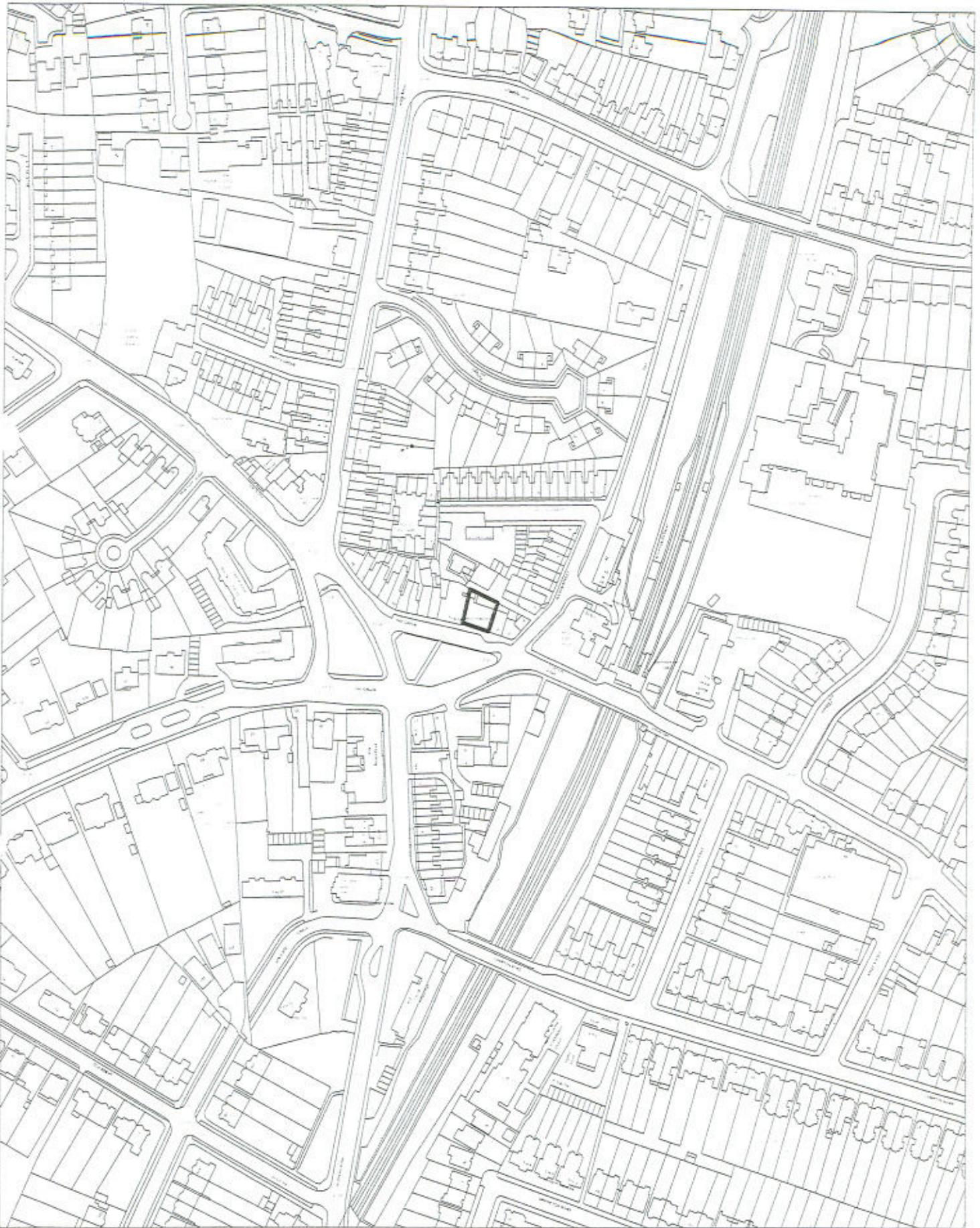
This guidance has been noted in the Licensing Policy of the London Borough of Enfield at Paragraph 8.5 and 8.7 which states 'Licences for the sale of alcohol for consumption off premises, particularly late night sales, will be resisted and /or limitations may be imposed in the case of specific premises known to be or likely to be, a focus of crime and disorder, nuisance or those presenting a risk of harm to children.'

Only one representation has been made by one resident. We would submit that there is nothing in the representations made to suggest that there are exceptional reasons to restrict the sale of alcohol within the normal trading hours of the premises.

Yours faithfully

J & H Licensing Consultants





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LONDON BOROUGH OF ENFIELD  
DEPARTMENT OF PLANNING AND  
BUILDING CONTROL  
CIVIC CENTRE, SILVER STREET  
ENFIELD, EN1 3XE  
TEL: 020 8379 1000  
FAX: 020 8379 3811

Scale 1:2500

Date 04/05/2007



## COSTCUTTER, THE GREEN - WK/207003932

## Annex 1 - Mandatory Conditions

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

## Annex 2 - Conditions consistent with the Operating Schedule

3. Alcohol shall not be sold in an open container or be consumed in the licensed premises.
4. 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.
5. A panic-alarm shall be installed operated and maintained at the premises.
6. Signs shall be displayed at the exit requesting customers to respect neighbours and leave the premises quietly.
7. The 'Think 21' proo-fof0age scheme shall be operated at the premises.
8. Children under the age of 14 years shall not be admitted to the premises between 21:00 and 07:00 unless they are accompanied by an adult.

## REQUESTED BY METROPOLITAN POLICE SERVICE :

9. The premises must be fitted with a digital Closed Circuit Television (CCTV) system, which must conform to the following points: (1) If the CCTV equipment is inoperative or not working to the satisfaction of the Police or Licensing Authority, the premises shall not be used for licensable activities unless with prior agreement from the Police; (2) Cameras must be sited to observe the entrance door, the counter areas and floor area; (3) 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 – not less than 120% of screen; (4) All other cameras must capture frames not less than 50% of screen; (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; (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) Record images as near to real time as possible; (12) Recorded images must



be of sufficient quality that persons can be identified from the recorded pictures as well as the live view; (13) Be regularly maintained to ensure continuous quality of image capture and retention; (14) Comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice; (15) Have signage displayed in the customer area to advise that CCTV is in operation; (16) Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes; (17) Images must be kept for 31 days; (18) Checks should be frequently undertaken to ensure that the equipment performs properly and that all the cameras are operational and a log kept; (19) The medium on which the images have been recorded should not be used when it has become apparent that the quality of the images has deteriorated; (20) Access to recorded images should be restricted to those staff that need to have access in order to achieve the purposes of using the equipment; (21) All access to the medium on which the images are recorded should be documented; (22) Police will have access to images at any reasonable time; (23) 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; (24) Disclosure of the recorded images to third parties should only be made in limited and prescribed circumstances, law enforcement agencies, Prosecution agencies, relevant legal representatives and people whose images have been recorded and retained.

10. Raid Control (anti robbery devices) are installed: (1) A time delay safe is fitted; (2) A separate covert real time camera is fitted above the front door. (Raid Cam); (3) A smoke note system is installed; (4) A training package is provided to staff and a written record kept of all training given; (5) Relevant signage is displayed.

**REQUESTED BY ENVIRONMENTAL HEALTH SERVICE :**

11. There shall be a minimum of three members of staff at the premises between 22:00 and 07:00.
12. A sign shall be displayed at the exit door stating "You Are Entering A Drinking Control Area And No Open Alcoholic Drinks Are To Be Taken Off The Premises".
13. The rear Fire Exit Door shall be kept unobstructed at all times.

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

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## LICENSING SUB-COMMITTEE - 16.5.2007

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON WEDNESDAY, 16 MAY 2007****COUNCILLORS****PRESENT** John Boast, Chris Bond and Terence Smith**OFFICERS:** Mark Galvayne (Licensing), Sue McDaid (Head of Trading Standards and Licensing), Susan Inwood (Environmental Health), Peter Lycet (Legal Representative) and Jane Creer (Secretary)**Also Attending:** PC Dave Murphy (Licensing Officer, Metropolitan Police), Gary Grant (Barrister), Alan Bates and Siobhan Higgins (Metropolitan Police – Licensing Team), Philip Walton and George Vassili (Premises Licence Holders), Nikolas Clarke (Barrister), Boray Izzet**29****WELCOME AND APOLOGIES FOR ABSENCE (IF ANY)**

The Chairman welcomed all those present and introduced the Panel members. There were no apologies for absence.

**30****DECLARATION OF INTERESTS**

There were no declarations of interest.

**31****APPLICATION FOR A REVIEW OF EXISTING PREMISES LICENCE  
(REPORT NO. 001)**

RECEIVED the report of the Head of Licensing requesting the sub-committee to consider the following application, and the supplementary information pack containing information supplied by both the Police and the holders of the Premises Licence, following the publication of the Licensing Sub-Committee agenda.

**32****RATTLERS WINE BAR, 36 LONDON ROAD, ENFIELD, EN2 6DB**

SUBMITTED an application by the Metropolitan Police Service for a Review of the Premises Licence held by Mr Philip Walton and Mr George Vassili in respect of Rattlers Wine Bar, 36 London Road, Enfield, Middlesex, EN2 6ED.

NOTED



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1. The introductory statement of Mark Galvayne, including:
  - (i) The application was made by the Police, with representations also by the Council's Environmental Health Service and an Interested Party.
  - (ii) Further to the original agenda papers, Members had received a supplementary information pack with four items of additional information and an updated version of Annex 01/07 which superceded pages 45 - 48 of the original agenda.
  - (iii) The Interested Party, Miss Palmer, had indicated that should the requested Condition 34 on page 27 of the supplementary information pack, in relation to a lobbied entrance, be imposed she would withdraw her representation, but also that she was unable to attend the meeting today.
  
2. The introductory statement of Gary Grant, barrister, on behalf of the Metropolitan Police, including:
  - (i) Rattlers Wine Bar was open in the evenings, with a clientele of mainly young people and was a source of exceptional and disproportionate violence and disorder.
  - (ii) The Premises Licence was held by Mr George Vassili and Mr Philip Walton, with Mr Walton being identified as the Designated Premises Supervisor. The licence currently permitted opening hours to 02:30 and sale of alcohol to 02:00 all days of the week.
  - (iii) The sub-committee was invited to suspend the licence and to impose onerous conditions to reduce the permitted opening hours because of the record of violence which had led to these review procedures being instigated by Dave Murphy on 16/3/07.
  - (iv) In 11 months between 25/3/06 to 25/2/07 there had been 46 incidents of violence, disorder or public nuisance associated with this premises.
  - (v) For comparison, statistics were retrieved from Police computer records to show that in a similar period there were a total of 7 incidents associated with Bar Ten, 1 incident associated with Taps, and 2 incidents associated with Bar Form; all fair comparators to Rattlers in terms of the nature, location and size of premises.
  - (vi) Police had met with the owners of Rattlers on 25/8/06 and 11/10/06 to discuss recent incidents and issue warnings that the premises were being monitored and any further problems may result in a review of the premises licence.
  - (vii) It was noted that door supervisors were part of the problems, with numerous incidents involving the door supervisors.

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(viii) A document was tabled illustrating the list of incidents and showing that 72% took place after midnight, 57% involved assault or violence, and 43% involved a door supervisor.

(ix) The full details of incidents were set out on pages 22 - 28 of the main report, with amendments provided verbally. Incident 2 should be disregarded as it related to a kebab shop rather than Rattlers. It was likely that Incidents 13 and 14 referred to the same event. Incidents 17 and 18a related to one event and 18a should read "Suspect approached her and glassed her in the face.". Incident 19 related to further information provided in relation to Incident 18b. Incident 20 should be disregarded as it could not be substantiated. Incident 27 related to the meeting referred to in (vi) above.

(x) The amount of incidents indicated the need for conditions to be added to the licence. The additional conditions, and conditions to replace others already in the licence, requested by the Police were set out on pages 17 - 20 of the supplementary information pack.

(xi) The first requested action was a suspension of the premises licence for a maximum of 3 months. This would (i) allow all conditions to be put into effect; (ii) make it clear to the current clientele that Rattlers was not open for business for some time; and (iii) send a clear message that this sort of violence and lax management would not be tolerated by the Licensing Committee. After 3 months the premises could open again if all other conditions were complied with.

(xii) Police requested a reduction in hours for the sale of alcohol to 12:00 to midnight, with a half hour wind down period of other licensable activities by 00:30, and a terminal closing hour of 01:00.

(xiii) With reference to people leaving other licensed premises and then coming to Rattlers, there should be no entry or re-entry of patrons to the premises after 22:45, which would prevent people drinking to the last minute at nearby pubs then going to Rattlers.

(xiv) Requested Conditions 7 to 13 dealt with door supervision, entry and search policy. Employment of an independent SIA approved contractor to provide door supervisors was important. As Sundays were quieter, Police were happy to accede to a request that 4 rather than 5 door supervisors should be employed on Sunday nights going into Monday mornings, save on those Sundays preceeding a Bank Holiday or New Years Day. Wearing of high visibility jackets would also allow Police to identify door supervisors more easily.

(xv) A clear condition relating to age of clientele was requested further to concerns about implications that under 21's may have been allowed into the premises until now.

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(xvi) Condition 15 would ensure that someone responsible and properly trained was there at all times the premises were open.

(xvii) Requested conditions relating to CCTV were a standard set of conditions now requested by the Police.

(xviii) It was accepted that if the additional condition requested by Environmental Health in relation to the rear exit door was imposed, Condition 18 would be otiose and may be deleted.

(xix) In the full updated list of conditions set out on pages 23 - 27 of the supplementary information pack, Condition 20 should be disregarded as it already formed part of Condition 21. Also, Condition 26 was a duty anyway of a licensed premises so did not need to be included as a condition.

(xx) All suggested conditions were necessary and proportionate to resolve the problems associated with this premises and to meet the licensing objectives.

3. Questions were asked in relation to the statement of the barrister on behalf of the Metropolitan Police, responded to by Dave Murphy, as follows:

(i) In response to a query from Councillor Boast, procedures relating to a suspension of the licence and imposition of conditions were clarified.

(ii) In response to a query from Councillor Bond, it was confirmed that it was a legal requirement under the Licensing Act 2003 that there must be a written policy re drunkenness and under age sales from which training must be given on a monthly basis.

(iii) In response to questions from Mr Clarke, it was confirmed that the record of incidents had been created by Dave Murphy from information passed to him, with sources quoted. Acronyms were clarified and that where information was not from a CRIS or CAD report it had been passed on by phone or email. London Ambulance Service had been asked for a record of their calls to Rattlers, though it was acknowledged that the wine bar may have simply been quoted as a convenient reference point in some cases.

4. The opening statement of Sue Inwood, Senior Environmental Health Officer, including:

(i) Environmental Health supported the application by the Metropolitan Police for a review of the premises licence.

(ii) Concerns related to the objective of prevention of public nuisance in the Council's Licensing Policy.



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(iii) Observations carried out had shown that proper control had not been exercised over the volume of music at this premises.

(iv) There were also concerns relating to noise and anti-social behaviour from people leaving the premises, excessive alcohol consumption and possible drug use, and the potential for disturbance to residents in Genotin Terrace and Genotin Road.

(v) Additional conditions were requested, numbered 32 and 33 on page 27 of the supplementary information pack. Condition 32 would require a cutout device to be fitted to the back door of the premises so that music would cease if that door was opened, to limit nuisance to flats at the rear. Condition 33 would ensure the back door be used solely as a fire exit and kept closed, and would also stop noise nuisance to the rear.

(vi) Potential remained for noise in the street caused by patrons who may be adversely affected by drink. Very few complaints were received, but residents may not have been able to make a link with patrons leaving Rattlers. Noise continued to be witnessed in the street when doors were left open and there was a lack of confidence in the management of the premises.

5. Questions were asked in relation to the statement of the Environmental Health Officer, as follows:

(i) In response to questions from Councillor Bond it was acknowledged that Genotin Terrace may be shut at both ends at night, but residents may still hear some noise from Rattlers. It was not believed that there were any nearby residential properties in London Road and that the road was heavily used by people coming from a number of premises and by public transport.

(ii) In response to a question from Mr Clarke, it was confirmed that the Council had received no complaints regarding noise in the street outside Rattlers. Aside from the complaint by the Interested Party, there had been one other separate complaint at the end of 2006 from a resident living to the rear of the premises, in the block of 25 flats in Genotin Road, relating to music from within Rattlers. It was also confirmed that a Council officer had spoken directly to the licensee in relation to noise issues.

6. The opening statement of Mr Clarke, barrister for the licensees, including the following points:

(i) In respect of the proposed additional conditions, the licensees' main objections were to the suggestions of suspension of the licence and suggestions of reduced opening hours.

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(ii) An amendment to Condition 8 to allow fewer door supervisors on Sundays (except before Bank Holidays or New Year's Day) had been agreed between the parties.

(iii) The licensees were not opposed to Condition 9 in principle, but expressed a preference for door supervisors to wear high visibility armbands rather than jackets.

(iv) The licensees had no objection to Condition 10, and the entry and search policy was already in place. There were no objections to Conditions 11, 12, 13, 15, 16 or 17.

(v) With regard to proposed conditions relating to the rear exit door, members were asked to note that a volume cut-out linked to the door being opened may cause upset as when music went off all the lights would go on.

(vi) Philip Walton confirmed that he was the proprietor, personal licence holder and designated premises supervisor. He had been a licensee since 1998 of that particular premises. The present licence covered each day of the week, but the bar only operated Thursday to Sunday. The bar had a capacity of 180 people and provided music and alcohol. The clientele were varied and predominantly came from Enfield, Palmers Green, Edmonton, Waltham Cross, Ponders End, Winchmore Hill and Southgate. There was no entry fee, alcohol prices were higher than in local pubs and there were no drink promotions.

(vii) Mr Clarke and Philip Walton provided comments on the list of incidents reproduced in the supplementary information pack and commented on by Gary Grant.

(viii) With regard to the first incident listed from 25 March 2006, it was stated that the victim had been drinking since 7pm and had been in Rattlers, but it should be noted that Rattlers did not open until 9pm. Philip Walton had no direct knowledge of the ejection by door supervisors and had not been approached by the Police or asked to provide CCTV tapes or make a statement.

(ix) It was advised that Rattlers had a good relationship with London Ambulance Service; a paramedic in a car often based themselves outside the premises as a central point to respond to calls and accepted drinks from staff. Incident 3 related to a man being helped from the street in a state of distress; there was no direct involvement of Rattlers, and Philip Walton had no direct knowledge of the incident.

(x) Philip Walton did not recall the occasion referred to in Incident 4, did not know where the 50 people came from, but Rattlers would not let people in at 01:00.

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(xi) With regard to the loud music referred to in Incidents 5 and 22, Philip Walton advised that in 2006 the bar had a Newmark mixing desk which was heavy towards the bass. Rattlers now had a Pioneer system, installed approximately 5 weeks ago, which allowed the bass to be attenuated so it was less overpowering.

(xii) Philip Walton had no knowledge of Incident 6, and had not been asked for CCTV footage or a statement by the Police. He confirmed that Rattlers had a comprehensive CCTV system, with digital recording in real time and 9 cameras within the premises, and footage stored for 31 days on hard drive. The current system had been in place for the past year, to meet original licensing conditions.

(xiii) With regard to Incident 7 at 02:10, Philip Walton advised that the bar would have been shut. It was usual practice to put on a light at 01:50 to make people aware that the bar was about to close, then at 02:00 the doors were opened and all the lights switched on and patrons then left. He had never witnessed taxis double parked outside; there was only one cab office in the Town and people tended to make their way to the cab rank outside Enfield Town Station from all venues.

(xiv) With regard to Incident 8, Philip Walton advised that the door supervisor flagged down a Police car so that the officer could help to tell a patron to leave the premises.

(xv) Philip Walton had no knowledge of Incidents 9, 10, 11, 13, 14, 15, 16, 23, 28 or 31 and had not been spoken to by Police about any of them.

(xvi) Philip Walton made a statement and attended court in relation to Incident 17/18a, where the suspect was acquitted.

(xvii) Efforts were made to assist Police regarding Incident 18b/19 and door supervisors took actions to break up the fight. Philip Walton was not aware of the suspect being any relation of the door supervisor. Police were helped to search the bar, and CCTV footage had been offered afterwards, but Police did not respond despite warnings that this was time sensitive and only available within 31 days.

(xviii) With regard to Incident 18c, Philip Walton confirmed that he would not have an objection to a lobby front or rear, subject to Fire officers' advice, but he had been mindful of neighbours and taken measures to reduce noise, including rubber seals etc on the back door, and changing the sound system.

(xix) Philip Walton had been surprised to see Incident 21 on the list, as the victim had not been inside Rattlers, but had been spotted in the street in visible distress by Rattlers door supervisors who found the puncture wound in his back, provided first aid and phoned for an ambulance.



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(xx) Philip Walton confirmed that the same door supervisor was linked to Incidents 24 and 25, but those refused admission, and their friends, were almost always disgruntled.

(xxi) It was confirmed there had been no criminal charges, request for CCTV footage or any contact from Police in respect of Incident 26.

(xxii) Full details were given with regard to Incident 29 which related to a group of construction workers who had been causing problems in the Town; Rattlers door supervisors had been made aware, refused them admission and were physically attacked. They were satisfied with the Police moving the workers on and had not wished to press charges.

(xxiii) Philip Walton commented in regard to Incident 30 that some door supervisors indulged in repartee and banter, but he knew and trusted them all and they were not bullies or overly aggressive. He had made sure they were all put through SIA training. Having his own team of door supervisors provided continuity and local knowledge, which could not be guaranteed with agency staff.

(xxiv) In relation to Incident 32, it was stated that the door supervisors were approached aggressively by the youths.

(xxv) Philip Walton confirmed that he had not been approached by Police in relation to Incident 33, and that Incidents 34 to 39 related to unspecified allegations which Police had also not spoken to him about.

(xxvi) Philip Walton stated that the male referred to in Incident 40 had been refused entry to Rattlers because of both his injury and his boisterous state, and the group had continued up London Road and become argumentative.

(xxvii) As explained previously, the bass beat problem referred to in Incidents 41 and 47 had been dealt with.

(xxviii) Philip Walton was not able to provide more specific information in relation to Incidents 42 or 43/44, but it was noted that the CCTV centre had no coverage of the inside of Rattlers.

(xxix) It was stated that Incident 46 related to a man who had not been allowed in Rattlers, and had been refused entry on several occasions. Police were helped to carry out full checks to their satisfaction, and thanked Rattlers staff for their co-operation. CCTV footage was provided when requested and there was nothing to be seen.

(xxx) Philip Walton advised that Rattlers staff flagged down a Police officer for assistance with the female referred to in Incident 48. Police believed she was fitting, called an ambulance and were assisted by

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Rattlers staff to keep her still until it arrived. It was only on reading this agenda that he was aware of the fixed penalty notice issued.

(xxxix) It was advised that Rattlers would have been closed at the time of the disturbances referred to in Incidents 49 and 50.

(xxxviii) Returning to the proposed conditions, Philip Walton re-iterated objections to the employment of an independent contractor to provide door supervisors. He would lose current control and continuity and certainty as to the qualifications of door staff, and contract staff would not have the same local knowledge of the venue and clientele

(xxxiv) Philip Walton felt that high visibility jackets would be impractical for the door supervisors, and armbands should be sufficient.

(xxxv) Philip Walton's understanding was that an over-21's policy had been adopted by themselves, though had never been a condition. The policy was strictly adhered to on a Friday and Saturday night. The Chairman and Licensing Officer clarified that admittance to over-21's only formed part of the bar's operating schedule and was therefore a condition of the existing premises licence.

(xxxvi) It was advised that a three month suspension of the licence would mean the end of the business, as there would still be rent and rates to be paid and Rattlers was not a big operation or a multiple and would not be able to absorb the cost. For allowing time to implement proposed conditions, Philip Walton believed these could be implemented in 7 to 10 days maximum.

(xxxvii) A decision to reduce operating hours would also effectively lead to the closure of Rattlers, as they did not wish to compete with pubs on price, and were closed Monday to Wednesday.

7. Questions were asked in relation to the statement of Mr Clarke, as follows:

(i) In response to Councillor Boast's question about the number of people barred from Rattlers, Philip Walton advised that there was a list of around 15 people never allowed back, and a list maintained with an average of 5 – 10 names of those barred for a couple of weeks.

(ii) In response to Councillor Bond's queries relating to door supervisors, it was advised by Philip Walton that female door staff were hard to get, the only venue he was aware of with contract door staff was The Goose at The George, that he did not socialise with his door supervisors and he insisted that they must have their SIA badge clearly on display when working.

(iii) In response to a further query regarding how many times Rattlers staff had called the Police, it was advised that it was 5 or 6 times over

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the last 5 years, with the 2 most recent incidents to a fight and to the girl who was fitting, having been discussed during this hearing.

(iv) Susan Inwood asked about checks outside the premises to monitor noise levels. Philip Walton confirmed that noise was monitored at least twice every night from the rear car park, and if the bass could be heard the DJ was asked to turn it down until he was satisfied that the neighbours would not be affected.

(v) Susan Inwood further asked about steps taken to ensure customers left the premises with the minimum of noise. Philip Walton acknowledged that patrons were fairly boisterous due to the nature of the business, but door supervisors checked that no glass containers were taken out of the door and customers were asked to be quiet in the immediate vicinity. Patrons did tend to dissipate fairly quickly, and some went to other later opening venues in Tottenham or Harbet Road. Others gravitated to the nearby kebab shop, which had a good relationship with Rattlers. The bar shutters were pulled half way down as soon as the venue was empty.

8. The closing statement of Mark Galvayne reminding Members of Section 52 of the Licensing Act; that the sub-committee must take such steps considered necessary for promotion of the licensing objectives.

9. The closing statement of Gary Grant, including the following points:

(i) The large number of violent incidents related to this premises could not be explained away, and there were still 23 incidents recorded since the owners' meeting with the Police in October 2006.

(ii) The door supervisors appeared at the centre of problems, with numerous incidents involving them specifically.

(iii) Similar premises' records showed nowhere near the same amount of complaints.

(iv) A reduction of operating hours would be crucial to meeting the licensing objectives to reduce crime and disorder, and to eliminate public nuisance. It was clear that a midnight closing time would reduce the violence by a large percentage.

(v) A temporary suspension of the licence was supported for the reasons already given; to alert the clientele, to allow conditions to be put in place and to send a strong deterrent message to all.

10. The closing statement of Mr Clarke, including the following points:

(i) Members were invited to consider each incident very carefully as the list suggested a 'carpet bombing' effect. The allegations were serious and required serious consideration. Because of the way the



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document was compiled, some of the information was very vague and it was difficult to make a connection between some of the incidents and this premises at all. It was also necessary to consider the timings carefully as many incidents were reported as taking place well after the bar's closing time, bringing into question whether Rattlers should be held responsible.

(ii) The overlap of clientele of different venues should be considered and many allegations may well relate to people who had been elsewhere. Rattlers was the only establishment in the locality open late on Sunday night, but, with one exception, there was no suggestion of any trouble relating to Rattlers on a Sunday night/Monday morning. Although Sunday nights were generally quieter, this fact should be reflected on as a useful comparison.

(iii) Door supervisors had a difficult job, and a necessary part of it was to refuse entry / eject patrons. People naturally became disgruntled, friends became involved, and very often spurious allegations were made and it was for the panel to evaluate the weight to be placed on the evidence of disgruntled people ejected or refused entry.

(iv) The panel were invited to consider what had been said regarding the running of the business and the effect the proposed conditions would have with the result of closing this business. Necessary measures, appropriate to further the licensing objectives, could be implemented fairly quickly and in reality the suggested suspension would be a punitive measure.

(v) Likewise, the effect of the suggested conditions to reduce operating hours would be punitive to the extent that the business would close.

**RESOLVED** that

- (1) In accordance with the principles of Section 100(A)(4) 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 involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, (as amended by the Local Government Local (Access to Information) (Variation) Order 2006 as are listed on the agenda).

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

- (2) The following statement was made by the Chairman:

"We have considered all the evidence put before us today and listened most carefully to the arguments put by the two barristers especially given the severity of the conditions being sought. We find that even though some of the

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individual incidents quoted may not be attributable to Rattlers, the number and nature of those that remain necessitate changes being made in furtherance of the licensing objectives.

The problems are undoubtedly drink related. Either people are being served so much alcohol at Rattlers that they become aggressive or, as has been claimed, they drink elsewhere first and then come to Rattlers. This means that Rattlers are being too lax in admitting people who are already drunk or partly so.

To promote the licensing objective of the prevention of crime and disorder we find it necessary to restrict the hours for the sale of alcohol from 12 noon to 00:30 the following morning with closing 30 minutes later.

This means we are granting the Condition 3 requested on page 17 of the supplementary information pack, but until 00:30. We also impose Conditions 4, 5 and 6 on that page.

We find that the door supervisors have failed to exercise their role effectively and therefore agree to Condition 7 sought by the Police.

We agree to Condition 8 as amended in respect of Sundays.

In Condition 9 the word 'jackets' is replaced by the word 'armbands'.

Conditions 10 to 13 and 15 to 17 are accepted by the licensee (Condition 18 not needed) and are therefore imposed.

Condition 14 (in relation to no admission of anyone under 21) applies what was originally intended or is believed to exist and is therefore imposed.

Regarding the conditions requested by the Environmental Health Service and the Interested Party, we find on the basis of the evidence heard that Condition 33 on page 27 of the supplementary information pack shall be imposed, but not Conditions 32 and 34.

On the matter of suspension of the premises licence we do not believe it is our role to be punitive except in so far as doing so would promote the licensing objectives and is necessary to do so. We believe the Police are correct in their reasons for seeking suspension but we find those reasons are satisfied by suspending the licence for one month. That concludes our decision."

- (3) that, in order to promote the licensing objectives it was necessary to suspend the premises licence for one month.

For the avoidance of doubt, after one month has elapsed the premises may only then carry out licensable activities if all of the conditions below are fulfilled and complied with, in addition to current conditions set out at Annex 01/07 in the supplementary information pack, save where indicated in italics when they replace current conditions on the premises licence.

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**Reduced hours**

1. Sale of alcohol may only be carried out Monday to Sunday from the hours of 12:00 to 00:30. *[Replaces current hours.]*
2. Other licensable activities (included regulated entertainment) may only be carried out Monday to Sunday from the hours of 12:00 to 00:30. *[Replaces current hours.]*
3. There can be no entry or re-entry of patrons to the premises after 22:45 hours Monday to Sunday *[Replaces condition 10 at page 45 of Report].*
4. The premises must close to the public at 01:00 Monday to Sunday *[Replaces current hours].*

**Door supervisors, entry and search policy**

5. To employ an independent SIA approved contractor to provide door supervisors.
6. A minimum of 5 door supervisors must be employed when the premises are open, 3 of which must remain on the front entrance door, except on Sundays when a minimum of 4 door supervisors must be employed, save on Sundays preceeding a Bank Holiday or New Years Day *[Replaces condition 16 at page 46 of Report].*
7. All door supervisors on duty must wear high visibility armbands at all times the premises are open.
8. A written entry and search policy must be adopted in consultation with police officers and implemented by door supervisors. This policy must include, but is not limited to:
  - a. Preventing the admission and ensuring the departure from the premises of the drunk and disorderly (without causing further unnecessary disorder or violence);
  - b. Keeping out excluded individuals (subject to court bans or imposed by the premises licence holder or his agent);
  - c. Search and exclude those suspected of carrying illegal drugs or offensive weapons;
  - d. Maintain orderly and reasonably quiet queuing outside the premises;
  - e. Encourage patrons to leave the premises and the area quietly and not to loiter outside the premises;
  - f. Ensuring that no alcoholic or other drinks are taken from the premises in open containers (e.g. glasses and opened bottles);
  - g. Ensuring there is no entry or re-entry of patrons to the premises after 22:45 hours Monday to Sunday.*[Replaces condition 17 at page 46 of Report].*



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9. A log must be kept and signed by each door supervisor each night they are employed at the premises indicating that they have been informed of, understand, and will implement the entry and search policy. This log must be made available to Police or Local Authority employees on request.
10. A log must be kept indicating the date and times door supervisors sign in and out for duty and must include details of each door supervisors clearly printed name, SIA licence number, employer, and the duty they are employed on any particular night.
11. Toilet areas must be checked an average of half hourly and a written record kept of the dates and times of each check. This record must be made available to Police or Local Authority employees on request. *[Replaces condition 11 at page 45 of Report].*

**Age of clientele**

12. No persons under the age of 21 are permitted on the premises when licensable activities are being carried out. *[Replaces conditions 8, 23 & 24 at page 46 of Report].*

**Personal Licence Holder on premises**

13. A Personal Licence holder must be on premises at all times the premises are open.

**CCTV**

14. The premises must be fitted with a digital Closed Circuit Television (CCTV) system as approved by the police and which must conform to the following points *[Replaces condition 9 at page 45 of Report].*
  - i. If the CCTV equipment is inoperative or not working to the satisfaction of the Police or Licensing Authority, the premises shall not be used for licensable activities unless with prior agreement from the Police.
  - ii. Cameras must be sited to observe the entrance and exit doors both inside and outside, the counter areas and all floor areas.
  - ii. 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 – not less than 120% of screen.
  - iv. Cameras viewing counter areas must capture frames not less than 50% of screen.
  - v. Cameras overlooking floor areas should be wide angled to give an overview of the premises. They must be capable of detection i.e. not less than 10% of screen.
  - vi. Be capable of visually confirming the nature of the crime committed.
  - vii. Provide a linked record of the date, time and place of any image.

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- viii. Provide good quality images.
- ix. Operate under existing light levels within and outside the premises.
- x. Have the recording device located in a secure area or locked cabinet.
- xi. Have a monitor to review images and recorded picture quality.
- xii. Record images as near to real time as possible.
- xiii. Recorded images must be of sufficient quality that persons can be identified from the recorded pictures as well as the live view.
- xiv. Be regularly maintained to ensure continuous quality of image capture and retention.
- xv. Comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice.
- xvi. Have signage displayed in the customer area to advise that CCTV is in operation.
- xvii. Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes.
- xviii. Digital images must be kept for 31 days.
- xix. Checks should be frequently undertaken to ensure that the equipment performs properly and that all the cameras are operational and a log kept.
- xx. The medium on which the images have been recorded should not be used when it has become apparent that the quality of the images has deteriorated.
- xxi. Access to recorded images should be restricted to those staff that need to have access in order to achieve the purposes of using the equipment.
- xxii. All access to the medium on which the images are recorded should be documented.
- xxiii. Police will have access to images at any reasonable time.
- xxiv. 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.
- xxv. Disclosure of the recorded images to third parties should only be made in limited and prescribed circumstances, law enforcement agencies, Prosecution agencies, relevant legal representatives and people whose images have been recorded and retained.

**Incident logs**

- 15. Incidents logs must be kept at all times and made available to police and local authority employees on request. As an interim measure, copies of the logs are to be forwarded to Police on a weekly basis for a

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period of 2 months following the re-opening of the premises following any suspension of the premises licence.

**Rear exit door**

16. The back door to the premises shall be used solely as a Fire Exit and shall be kept closed but not locked at all times the premises is in operation under its licence.



LICENSING SUB-COMMITTEE - 30.5.2007

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON WEDNESDAY, 30 MAY 2007**

**MEMBERS:** Councillors Annette Dreblow (Chairman), Anne-Marie Pearce and Yasemin Brett

**OFFICERS:** Mark Galvayne (Licensing Officer), Claire Tomaso (Environmental Health Officer), Linda Dalton (Legal Representative), PC Murphy (Metropolitan Police)

**Also Attending:** Ms Husniye Degrimenci (applicant), Mr Cohan Zedak (applicant's agent) and Mr David Dadds (applicant's representative)

**33  
APOLOGIES FOR ABSENCE**

NOTED that there were no apologies for absence.

**34  
DECLARATION OF INTERESTS**

NOTED that there were no declarations of interest in respect of items on the agenda.

**35  
APPLICATIONS UNDER THE LICENSING ACT 2003 (REPORT NO. 14)**

RECEIVED the report (no. 14) of the Head of Licensing.

**36  
APPLICATION FOR A PERSONAL LICENCE (REF. 01)**

SUBMITTED an application by Mr Ali Gondas for a Personal Licence.

NOTED that the application had been withdrawn.

**37  
EGE SUPERMARKET, UNIT 12, THE GREEN SHOPPING CENTRE,  
EDMONTON, N9 0TT (REF. 02)**

SUBMITTED an application by Mrs Mukaddes Temur for a new Premises Licence.

NOTED that the representation made by the London Fire and Emergency Planning Authority had been withdrawn, therefore the local authority would grant the application without the need for it to be considered by the Sub-Committee.

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38

**NAZLI FOOD CENTRE, 44-44A FORE STREET, EDMONTON, N18 2SS  
(REF. 03)**

SUBMITTED an application by Ms Husniye Degrimenci and Mr Mehmet Yasar for a variation of an existing Premises Licence.

NOTED

1. The opening statement of Mark Galvayne, Licensing Officer, including the following points:
  - i. the variation of the existing Premises Licence sought to allow the supply of alcohol 24 hours a day;
  - ii. the applicant had accepted all the proposed conditions.
2. The opening statement of Claire Tomaso, Environmental Health Officer, including the following points:
  - i. representations were made under the prevention of public nuisance and the protection of children from harm objectives of the Council's Licensing Policy;
  - ii. there was no record of complaints relating to noise and disturbance arising from the premises but there was a potential for noise and disturbance to local residents arising from anti social behaviour by patrons visiting or leaving the premises or loitering in the area in the early hours of the morning;
  - iii. during an assessment visit on 22 February 2007 the applicant had advised that children were permitted on the premises until 22:00, which was a breach of conditions as unaccompanied children under 14 were not allowed on the premises after 21:00;
  - iv. as part of the same assessment visit the applicant was unable to provide a 'refusals book' for inspection, which again was a contravention;
  - v. a written warning had been issued to an employee of the premises for the sale of alcohol to a 16 year old child on 21 August 2006;
  - vi. refusal of any extension of hours for the supply of alcohol was therefore recommended.
3. In response to Mr Dadds, the applicant's representative, request for further information regarding the Trading Standards investigation into the sale of alcohol to a 16 year old child, the Environmental Health officer advised she was unable to provide this as it was an investigation being carried out by another department. Mr Dadds commented that had Trading Standards felt this incident to be of particular concern relative to the Council's licensing objectives they would have made representation with regard to the application.
4. The opening statement of PC Murphy, Metropolitan Police, including the following points:

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- i. representation was made under the crime and disorder objective of the Council's Licensing Policy;
  - ii. although the premises had not caused any problems for Police in relation to crime and disorder or other nuisance, they were situated in the main 'hot spot' crime and disorder area of the borough;
  - iii. over a 6 month period up to 13 February 2007 there were 264 British Crime Survey crimes committed in a half kilometre radius of the premises;
  - iv. also within this radius and period there were 352 calls to the Police regarding anti social behaviour, which accounted for 3.4% of the borough total, well above the borough average;
  - v. therefore the Police objected to any increased hours for the sale of alcohol.
  
5. In response to Councillor Pearce, PC Murphy advised that, within the same radius and time period, the Police had received only 7 calls relating to street drinking but that it was not possible to state if the other British Crime Survey crimes were alcohol related or not.
  
6. In response to Mr Dadds, the applicant's representative, PC Murphy advised that:
  - i. there was no causal link between the premises and the quoted British Crime survey crimes;
  - ii. there were approximately 9 premises across the borough who were licensed to sell alcohol 24 hours a day.
  
7. The opening statement of Mr Dadds, the applicant's representative, including the following points:
  - i. the premises currently operated as a grocery store 24 hours a day giving no cause for concern with regard to noise nuisance;
  - ii. the petrol station opposite the premises also operated 24 hours a day;
  - iii. during the day there were two members of staff on the premises and during the evening there were 3;
  - iv. the applicant had accepted all the proposed conditions and was willing to work with all responsible authorities;
  - v. the premises was well managed;
  - vi. Trading Standards could have made representation against the application if they felt the Council's licensing objectives were seriously jeopardised by the incident of sale of alcohol to a 16 year old child;
  - vii. the incident of sale of alcohol to a 16 year old child had resulted in a letter of warning being sent to the applicant's father, who had made the sale, as it was a first offence;
  - viii. further staff training had been arranged;
  - ix. the 'refusals book' had been removed from the premises by Trading Standards in relation to another enquiry and at the time of

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- Environmental Health's assessment visit a replacement 'refusals book' was on order from the Council;
- x. the British Crime Survey statistics quoted were not relevant as there was no causal link with the premises;
  - xi. the variation of hours sought were to provide facilities to meet the changing shopping habits of the community;
  - xii. statutory guidance issued under section 182 of the Licensing Act 2003, recommends to Licensing Authorities that appropriately licensed shops, stores and supermarkets should normally be permitted to sell alcohol during their normal trading hours;
  - xiii. the granting of the application would not set a precedent and light touch consideration was required as representations were mostly irrelevant as there was no causal link with the premises.
8. In response to the Environmental Health Officer, Mr Dadds, the applicant's representative, accepted that a duplicate 'refusals book' should have been available on the premises but considered this was a technical breach of conditions and did not warrant refusal of the application.
9. In response to the Chairman, Mr Dadds, the applicant's representative, confirmed that the applicant was aware of the incident of sale of alcohol to a 16 year old child, but remarked that if Trading Standards had serious concerns with the management of the premises they would have made representations against the application, which they had not.
10. The closing statement of Mark Galvayne, Licensing Officer, including the following points:
- i. in respect of the seriousness of non-compliance with licence conditions, Parliament had agreed, in respect of the Licensing Act 2003, that carrying on a business with a premises licence but in breach of condition of that licence was an offence as serious in law as carrying on a business without any such licence at all. Both of these activities were offences under the same section of the Act, section 136, and both offences carried the same maximum penalty, on conviction, of a £20,000 fine and 6 months imprisonment;
  - ii. paragraph 8.5 of the Council's Licensing Policy recognised that statutory guidance issued under section 182 of the Licensing Act 2003, recommends to Licensing Authorities that appropriately licensed shops, stores and supermarkets should normally be permitted to sell alcohol during their normal trading hours;
  - iii. however paragraph 8.6 of the Council's Licensing Policy stated that "whilst accepting this principle in respect of certain premises, the Council also recognises that in individual cases availability of alcohol, particularly late at night, can contribute to anti-social behaviour around premises licensed to sell alcohol for consumption off premises".



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11. The closing statement of Claire Tomaso, Environmental Health Officer, including the following points:
  - i. there was the potential for noise and disturbance to local residents arising from anti social behaviour by patrons visiting or leaving the premises or loitering in the area in the early hours of the morning;
  - ii. the protection of children from harm in relation to concerns over the management of the premises.
  
12. The closing statement of PC Murphy, Metropolitan Police, including the following points:
  - i. there were no crime and disorder issues with the premises;
  - ii. the premises was situated in the main 'hot spot' crime and disorder area of the borough.
  
13. The closing statement of Mr Dadds, applicant's representative, including the following points:
  - i. there were remedies other than refusal of the application to address minor breaches of conditions;
  - ii. the relevance of representations should be considered in that there were no noise nuisance or crime and disorder issues related to the premises and no causal link with the general anti social behaviour and crime issues in the vicinity of the premises;
  - iii. the premises already operated as a 24 hour business;
  - iv. the management of the premises was being strengthened by the provision of further staff training;
  - v. the applicant had accepted all proposed conditions.

RESOLVED that

- (1) In accordance with the principles of Section 100(A)(4) 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 involved the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act, (as amended by the Local Government (Access to Information) (Variation) Order 2006), as are listed on the agenda.

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

- (2) The Chairman made the following statement:

"We have listened carefully to representations from the applicant, the Environmental Health Officer and the Metropolitan Police and also read the evidence presented by all parties. We have heard that these premises are situated within the highest concentration of crime and disorder in the borough and in a designated alcohol control zone. We have also heard that the Nazli Food Centre has received a warning for

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selling alcohol to an underage person in August 2006, plus the lack of availability of a 'Refusals Book' when asked. However we have also learned that these premises have been operating without further problems since that date and the applicant has agreed to the conditions requested by the responsible authorities.

Mindful of Enfield Council's Licensing Policy, particularly paragraph 8.3 concerning nearby residential premises and paragraph 8.6 that the availability of alcohol gives rise to concerns, this could exacerbate current problems, we have decided to increase the hours permitted for the supply of alcohol but not fully to 24 hours as requested, as follows:

Supply of alcohol Monday – Sunday 07.00 to 01.00 (the following day)"

**CONDITIONS**

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. A minimum of two staff shall be on the premises after 23:00.
4. The 'red care' alarm system shall be operated and maintained at the premises.
5. Notices shall be displayed requesting that customers arriving at, queuing and leaving the premises, do so quietly.
6. A 'refusals book' shall be operated at the premises.
7. The 'Think 21', or similar, proof-of-age scheme shall be operated at the premises and relevant literature shall be displayed.
8. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premise that may give rise to concern in respect of children.
9. A Closed Circuit Television (CCTV) system shall be installed, operated and maintained at the premises. The CCTV system shall conform to the following points:
  - (a) If the CCTV equipment is inoperative or not working to the satisfaction of the Police and Licensing Authority, the premises shall not be used for licensable activities unless with prior agreement from the Police;

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- (b) Cameras must be sited to observe the entrance door, the bar and till area and eating areas;
- (c) Be capable of visually confirming the nature of the crime committed;
- (d) Be capable of identifying the suspected criminal(s) visually for purposes of evidence and connect them with the crime;
- (e) Provide evidence-supporting detail relating to the circumstances;
- (f) Provide a linked record of the date, time and place of any image;
- (g) Provide good quality colour images;
- (h) Capture full frame shots of the heads and shoulders of all people exiting the premises from both entry and exit routes;
- (i) Have the capability to record a full-length view of a person 1.92m tall, to occupy at least 60% of the image height, in at least one of the captured images;
- (j) Operate under existing light levels within the premises;
- (k) Have the recording device located in a secure area or locked cabinet;
- (l) Have a monitor to review images and recorded picture quality;
- (m) Record images as near to real time as possible and where practical, personal attack buttons should be connected via the CCTV system, to change any time-lapse recording to real time;
- (n) Be regularly maintained to ensure continuous quality of image capture and retention;
- (o) Comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice;
- (p) Have signage displayed in the customer area to advise that CCTV is in operation;
- (q) Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes;
- (r) If the system is analogue, a library of 31 video tapes are required for storage and rotation;
- (s) Checks should be frequently undertaken to ensure that the equipment performs properly and that all the cameras are operational and a log kept;
- (t) If tapes are used it should be ensured that they are good quality and in good condition and in any case must be changed every 12 months;
- (u) the medium on which the images are captured should be cleaned so that images are not recorded on top of the images recorded previously;
- (v) the medium on which the images have been recorded should not be used when it has become apparent that the quality of the images has deteriorated;

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- (w) Access to recorded images should be restricted to those staff that need to have access in order to achieve the purposes of using the equipment;
  - (x) All access to the medium on which the images are recorded should be documented;
  - (y) Police will have access to images at any reasonable time;
  - (z) Disclosure of the recorded images to third parties should only be made in limited and prescribed circumstances, law enforcement agencies, prosecution agencies, relevant legal representatives and people whose images have been recorded and retained.
10. Shutters shall be installed over the alcohol display area and shall be locked shut after the terminal hour for the supply of alcohol.
11. Children under 14 shall not be allowed to enter the premises after 21:00 unless accompanied by a person over 18.
12. There shall be displayed on the exit doors a sign stating, "you are entering a drinking control area and no open alcoholic drinks are to be taken off the premises".

**39**

**CROWN CAFE & RESTAURANT, 90 CROWN ROAD, SOUTHGATE, N14 5EN (REF. 4)**

SUBMITTED an application by Mr Munir Hussein for a new Premises Licence.

NOTED that the applicant had accepted the proposed conditions and therefore the representation made by Environmental Health had been withdrawn and the local authority would grant the application without the need for it to be considered by the Sub-Committee.

**40**

**KERVAN SOFRASI RESTAURANT, 171 HERTFORD ROAD, EDMONTON, N9 7EP (REF. 5)**

SUBMITTED an application by Mr Gursel Aksu for a new Premises Licence.

NOTED the request by the applicants' representative to adjourn the hearing of the application pending the outcome of the appeal for variation of planning permission.

AGREED to adjourn consideration of the application.

**41**

**MINUTES**

AGREED to approve as a correct record the minutes of the meetings held on 18 April 2007 and 25 April 2007.