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LICENSING SUB-COMMITTEE - 19.3.2014

MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE HELD ON WEDNESDAY, 19 MARCH 2014

COUNCILLORS

PRESENT Derek Levy, Toby Simon and Glynis Vince

ABSENT

OFFICERS: Mark Galvayne (Principal Licensing Officer), Dina Boodhun (Legal Services Representative), Charlotte Palmer (Licensing Enforcement Officer), PC Martyn Fisher (Metropolitan Police Service), Jane Creer (Democratic Services)

Also Attending: N/A

865

WELCOME AND APOLOGIES

The Chairman welcomed all those present, and explained the order of the meeting.

866

DECLARATION OF INTERESTS

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

867

GAZAN RESTAURANT, 170-172 HIGH STREET, PONDEERS END, EN3 (REPORT NO.227)

RECEIVED applications to (1) vary the designated premises supervisor and (2) vary the Premises Licence for the premises known as and situated at Gazan Restaurant, 170-172 High Street, Ponders End, EN3.

NOTED

1. The opening statement of Mark Galvayne, Principal Licensing Officer, including the following points:
 - a. An email had been received by the Licensing Authority at 08:07 this morning sent on behalf of the applicant from their agent FSL consultants.
 - b. The first application, to vary the designated premises supervisor, had been withdrawn. There was therefore nothing which the Licensing Sub-Committee could determine in respect of that application. The designated premises supervisor would remain Mr Riza Demirtas.
 - c. In respect of the second application, to vary the plan of the premises and some operating hours, the operating hours part of the application was

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- withdrawn. Therefore, the Licensing Sub-Committee would purely determine the change of layout plan.
- d. As part of their submissions, conditions had been requested by the Metropolitan Police Service and by the Licensing Authority, and a condition proposed by the licence holder. These conditions, numbered 16 to 22 were set out in Annex 08 on page 65-66 of the agenda pack.
- e. At 09:00 this morning the agent Fabien had phoned the Licensing Team and said he would not be attending this hearing today. He said the manager of the premises would be in attendance, but he was not here.
2. The statement of the Chairman, confirming that the hearing had commenced as advertised and the Licensing Sub Committee agreed that this hearing should continue and would now only address the new plan of the premises.
3. The Principal Licensing Officer responded to Members' questions as follows:
- a. He advised that the resolution, if agreed, would be to grant the application as amended in full, subject to conditions in accordance with Annex 08 to the report if the Sub-Committee found it appropriate to do so.
- b. In response to queries in respect of Condition 16, it was confirmed that the condition had been offered on the application form. It was for the Licensing Sub Committee to decide if they considered that it was superseded by Condition 20 requested by the Licensing Authority.
- c. In response to queries about the wording of Condition 20, it was suggested that the first sentence should read: "A dispersal policy shall be prepared and agreed with the Head of Business Regulation at the Council, within 14 days of 19/3/14."
4. The statement of Charlotte Palmer, Licensing Enforcement Officer, on behalf of the Licensing Authority, including the following points:
- a. She welcomed the submission of up-to-date plans to the premises, but that it had taken six months of repeated advice and threat of prosecution to get to this stage was disappointing and concerning.
- b. The continued provision of late night refreshment while the plan was incorrect was a licensing offence, and had occurred despite letters of advice, and a LNR test purchase in January.
- c. Conditions 19 and 20 were offered by the applicant in their operating schedule. Part b) on page 28 advised that all incidents would be recorded in an incident logbook kept at the premises, and that any incidents of crime and disorder would be reported to the Police, and CCTV would be maintained and correctly operated. Part d) advised that customers would be discouraged from congregating outside the premises, and that customers leaving the premises would comply with the company's dispersal policy. Conditions 19 and 20 requested by the Licensing Authority on page 66 were re-wording of these conditions offered by the applicant.
- d. Condition 21 was requested for public safety. After speaking to the fire officer, until there was an additional fire exit provided, no more than 60

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people should be permitted inside the premises, which was felt to be a safe capacity.

e. Condition 22 was requested because this was a very residential area, and neighbouring residents had been affected in the past by noise, smoke and odour. Officers wanted to ensure that residents were not disturbed by people's noise from the use of the outer seating area.

5. PC Fisher, Metropolitan Police representative advised that he would give further details of requested Conditions 17 and 18 if Members had concerns.
6. The Chairman confirmed that no representations were made today by the applicant or representative of the applicant.
7. The Principal Licensing Officer confirmed that, taking account of the proposed amendments discussed, the Licensing Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives.

RESOLVED that

1. The Licensing Sub-Committee RESOLVED that the application as amended be granted in full, subject to Conditions 1 to 15, which are not disputed, and Conditions 17 to 22.
2. The Chairman made the following statement:

“The Licensing Sub-Committee resolved that the application be granted in full in terms of the new plan of the premises.

Condition 16 as offered was deemed not to be enforceable, and was addressed by Condition 20 requested by the Licensing Authority. Therefore the Licensing Sub-Committee is imposing Conditions 17 to 22 of Annex 08 to the report, with the amended wording of Condition 20 as discussed, which would be renumbered in the issuing of the licence.

This decision is made in order to strengthen the licence and appropriately addresses the licensing objectives.”

868

LA FACE, 169-171 FORE STREET, EDMONTON, N18

Licensing Sub-Committee agreed (under Section 100B(4) of the Local Government Act 1972 – as amended) to consider the following as an urgent item, in order to avoid the necessity of holding a hearing as no other parties had made representation.

1. The statement of Mark Galvayne, Principal Licensing Officer, including the following points:

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- a. An application for review of the Premises Licence held by Ms Sylvia Nalugwa Luttaya at the premises known as and situated at La Face, 169-171 Fore Street, Edmonton N18 was made by the Metropolitan Police Service, supported by a relevant representation by the Licensing Authority.
 - b. This application had been scheduled to be considered at a Licensing Sub-Committee hearing on 16/4/14.
 - c. However, yesterday all three parties (the licence holder, Police and Licensing Authority) came to an agreement on how to determine the review, in respect of amendments to the licence hours and conditions.
 - d. All agreed it was not considered necessary to hold a full public hearing in respect of the review.
 - e. On the basis that mediation had occurred and agreement had been reached, the parties had requested that the review be determined under officers' delegated powers, but this was not permitted as reviews must be determined by Licensing Sub-Committee.
 - f. It was therefore sought to determine the review as an urgent matter today. The public expense and the time involved in holding a separate hearing would thus be avoided.
 - g. No other parties could be prejudiced by determining the review today as no-one else would have been permitted to speak other than the three parties involved, who had come to an agreement.
 - h. The Licensing Sub-Committee were asked to modify the conditions of the licence as agreed by the three parties involved.
2. In response to the Chairman's query as to any legal reason that the review may not be determined today, the Legal Services representative confirmed that there were none and that the situation was as advised in relation to why the review could be determined by Licensing Sub-Committee today.
 3. In response to the Chairman's queries regarding the opportunity for parties to make representations, the Principal Licensing Officer confirmed that the 28 day period for making representations had passed, and the only representation received was from the Licensing Authority. Therefore no-one else could have spoken at a review hearing.
 4. The Licensing Sub-Committee AGREED to the request to consider the review as an urgent matter. The Chairman confirmed that the Licensing Sub-Committee today was properly constituted and that no parties would be prejudiced by determination of the review today. The Licensing Sub-Committee welcomed the agreement by the parties involved.
 5. The Chairman read the formal decision notice:

Application was made by the Metropolitan Police Service, supported by a relevant representation from the Licensing Authority, for a review of the Premises Licence (Annex 1 attached) held by Ms Sylvia Nalugwa Luttaya at the premises known as and situated at La Face, 169-171 Fore Street, Edmonton, N18.

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On 18 March 2014 the licence holder, the Metropolitan Police Service and the Licensing Authority agreed that it is appropriate, for the promotion of the licensing objectives, to modify the conditions of the licence in accordance with Annex 2 and Annex 3 (attached). Also on 18 March 2014 all parties agreed that a full public hearing was unnecessary for the consideration of this matter.

In accordance with Section 52 of the Licensing Act 2003, before determining the review, a hearing must be held to consider the application and any relevant representations.

The Licensing Sub-Committee RESOLVED that it considers the step below to be appropriate for the promotion of the licensing objectives:

- (a) to modify the conditions of the licence (Annex 1) in accordance with Annex 2 and Annex 3 (attached).

Reasons:

As all parties had agreed to the Licensing Sub-Committee's resolution prior to the hearing, no reasons are required for the decision that we have made and there can be no appeal arising from this agreed decision.

869

MINUTES OF PREVIOUS MEETING HELD ON 19 FEBRUARY 2014

RECEIVED the minutes of the meeting held on 19 February 2014.

AGREED that the minutes of the meeting held on 19 February 2014 be confirmed and signed as a correct record.

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THANKS TO CHAIRMAN

As this was the final definite meeting of the Licensing Sub-Committee of the 2013/14 municipal year, Councillor Simon recorded thanks to Councillor Levy as Chairman of Licensing Committee for all the work he had done.

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



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Application was made by the **METROPOLITAN POLICE SERVICE**, supported by a relevant representation from the **LICENSING AUTHORITY**, for a review of the Premises Licence (Annex 1) held by **MS SYLVIA NALUGWA LUTTAYA** at the premises known as and situated at **LA FACE, 169-171 FORE STREET, EDMONTON N18**.

On 18 March 2014 the licence holder, the Metropolitan Police Service and the Licensing Authority agreed that it is appropriate, for the promotion of the licensing objectives, to modify the conditions of the licence in accordance with Annex 2 and Annex 3 (attached). Also on 18 March 2014 all parties agreed that a full public hearing was unnecessary for the consideration of this matter.

In accordance with Section 52 of the Licensing Act 2003, before determining the review, a hearing must be held to consider the application and any relevant representations.

The Licensing Sub-Committee **RESOLVED** that it considers the step below to be appropriate for the promotion of the licensing objectives :

(a) to modify the conditions of the licence (Annex 1) in accordance with Annex 2 and Annex 3 (attached).

Reasons:

As all parties had agreed to the Licensing Sub-Committee's resolution prior to the hearing, no reasons are required for the decision that we have made and there can be no appeal arising from this agreed decision.

Date Notice Sent : 18 March 2014

Signed :

Principal Licensing Officer



Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/200700373

Part 1 – Premises Details

Postal address of premises :

Premises name : La Face

Telephone number : 020 8807 9465

Address : 169-171 Fore Street LONDON N18 2XB

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

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

(1) Open to the Public - Whole Premises

Sunday :	10:00 - 03:30
Monday :	10:00 - 02:30
Tuesday :	10:00 - 02:30
Wednesday :	10:00 - 02:30
Thursday :	10:00 - 02:30
Friday :	10:00 - 03:30
Saturday :	10:00 - 03:30

On the day before British Summer Time commences : 10:00 to 04:30

New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

(2) Supply of Alcohol - On Supplies

Sunday :	10:00 - 03:00
Monday :	10:00 - 02:00
Tuesday :	10:00 - 02:00
Wednesday :	10:00 - 02:00
Thursday :	10:00 - 02:00
Friday :	10:00 - 03:00
Saturday :	10:00 - 03:00

On the day before British Summer Time commences : 10:00 to 04:00

New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

(3) Films - Indoors

Sunday :	10:00 - 03:00
Monday :	10:00 - 02:00
Tuesday :	10:00 - 02:00
Wednesday :	10:00 - 02:00
Thursday :	10:00 - 02:00
Friday :	10:00 - 03:00
Saturday :	10:00 - 03:00

On the day before British Summer Time commences : 10:00 to 04:00

New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

(4) Live Music - Indoors

Sunday :	10:00 - 03:00
Monday :	10:00 - 02:00
Tuesday :	10:00 - 02:00
Wednesday :	10:00 - 02:00
Thursday :	10:00 - 02:00
Friday :	10:00 - 03:00
Saturday :	10:00 - 03:00

On the day before British Summer Time commences : 10:00 to 04:00

New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

(5) Recorded Music - Indoors

Sunday :	10:00 - 03:30
Monday :	10:00 - 02:00
Tuesday :	10:00 - 02:00
Wednesday :	10:00 - 02:00
Thursday :	10:00 - 02:00
Friday :	10:00 - 03:30
Saturday :	10:00 - 03:30

On the day before British Summer Time commences : 10:00 to 04:30

New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

(6) Performance of Dance - Indoors

Sunday :	10:00 - 03:00
Monday :	10:00 - 02:00
Tuesday :	10:00 - 02:00
Wednesday :	10:00 - 02:00
Thursday :	10:00 - 02:00
Friday :	10:00 - 03:00
Saturday :	10:00 - 03:00

On the day before British Summer Time commences : 10:00 to 04:00

New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

(7) Facilities for Making Music - Indoors

Sunday :	10:00 - 03:00
Monday :	10:00 - 02:00
Tuesday :	10:00 - 02:00
Wednesday :	10:00 - 02:00
Thursday :	10:00 - 02:00

Friday : 10:00 - 03:00
Saturday : 10:00 - 03:00
On the day before British Summer Time commences : 10:00 to 04:00
New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

(8) Facilities for Dancing - Indoors

Sunday : 10:00 - 03:00
Monday : 10:00 - 02:00
Tuesday : 10:00 - 02:00
Wednesday : 10:00 - 02:00
Thursday : 10:00 - 02:00
Friday : 10:00 - 03:00
Saturday : 10:00 - 03:00
On the day before British Summer Time commences : 10:00 to 04:00
New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

(9) Late Night Refreshment - Indoors

Sunday : 23:00 - 03:00
Monday : 23:00 - 02:00
Tuesday : 23:00 - 02:00
Wednesday : 23:00 - 02:00
Thursday : 23:00 - 02:00
Friday : 23:00 - 03:00
Saturday : 23:00 - 03:00
On the day before British Summer Time commences : 23:00 to 04:00
New Years Eve : 23:00 to 05:00

Part 2

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

Name : Ms Sylvia Nalugwa Luttaya

Telephone number : 020 8245 0057

e-mail : sylvialuttaya@yahoo.co.uk

Address : 12 Wheatfields, ENFIELD, EN3 5DW

Registered number of holder (where applicable) :

Not 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 Henry Birungi

Telephone number : Not provided

e-mail : Not provided

Address : 34 Gaysham Hall, Longwood Gardens, Ilford, Essex, IG5 0EP

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

Personal Licence Number : LN/00005789

Issuing Authority : London Borough of Redbridge

Premises Licence LN/200700373 was first granted on 19 September 2007.

Signed : 

Date : 7th February 2014

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.**
- 3. The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made : (a) By the British Board of Film Classification (BBFC) where the film has been classified by that Board; or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) (b) of the Licensing Act 2003 applies to the film.**
- 4. Immediately before each exhibition of a film passed by the British Board of Film Classification there shall be exhibited on a screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.**
- 5. Where the licence includes a condition that individuals are required to carry out any security activity at specified times at the premises each individual must be licensed by the Security Industry Authority.**

Annex 2 - Conditions consistent with the Operating Schedule

- 6. 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.**
- 7. Staff at the premises shall be trained, as appropriate, in respect of relevant licensing law, the implementation of licence conditions, health safety, first aid, alcohol and drug awareness and conflict management.**
- 8. Notices shall be displayed at each public entrance to the premises detailing the policy on admission and searching at the premises.**
- 9. Bag searches shall be conducted at random at the premises.**
- 10. Known troublemakers shall be barred from the premises.**
- 11. Signs shall be displayed throughout the premises alerting customers to possible theft.**
- 12. Public transport information (including night-time travel options) shall be available to customers at the premises.**

- 13. The telephone number of an allocated taxi firm shall displayed within the premises.**
- 14. The maximum number of persons present on the premises at any one time shall not exceed 350, including no more than 100 persons on the 2nd floor of the premises.**
- 15. Management and door supervisors shall encourage customers to leave the premises quietly.**
- 16. The Red Care burglar alarm system shall be operated and maintained at the premises. Panic buttons must be fitted to bar areas and the reception desk as part of the red care alarm system.**
- 17. The premises must fully participate in the Edmonton Retailers Association link radio system.**
- 18. The fire alarm system shall incorporate an effective performance-mode system to alert staff to activation of the alarm.**
- 19. There shall be an effective written fire emergency plan. The plan shall be practiced by conducting fire drills at regular intervals as necessary to ensure that all staff are familiar wit the fire alarm system and the actions to be taken. The details of those attending fire drills shall be recorded in a logbook.**
- 20. Safety checks in accordance with a written procedure shall be carried out before the admission of the public. The procedure shall include checks to ensure that all removable security fastenings have been removed, that exit doors function satisfactorily and that exit routes are unobstructed. Details of the checks made shall be recorded in a logbook prior to opening.**
- 21. Light levels sufficient for safe evacuation shall be maintained on all escape routes while the premises are occupied.**
- 22. Deliveries shall not be received at the premises other than between the hours of 07:00 and 19:00.**
- 23. Staff shall be positioned by exit doors of the premises at all times regulated entertainment is taking place and until 30 minutes after closing time to monitor the behaviour of customers leaving to ensure that customers leave the premises and the area quietly.**
- 24. Children under the age of 18 years shall not be admitted to the premises at any time licensable activities are taking place.**
- 25. No fastenings to exit doors other than panic bolts. Any other lock, bolts or chains to be removed whilst the premises are in use under this licence.**
- 26. No storage shall be allowed in the rear yard of the premises adjacent to fire escape stairway and the rear exit gate shall be unobstructed at all times.**

- 27. All rear fire exits and the ground floor front entrance/exit doors shall be maintained unobstructed, immediately available and clearly identifiable while the licence is in use.**
- 28. The licensee shall keep the external stairs and walkways clear of snow and ice.**
- 29. The exterior escape route shall be kept sufficiently clear and well lit to allow the public to disperse well clear of the building to a place of safety.**
- 30. An effective counting system shall be employed to ensure the capacity limit is not exceeded.**
- 31. A minimum of two door supervisors shall be on duty at the entrance, at all times the licence is in operation, to secure and control patrons entering and leaving the premises.**
- 32. A further three supervisors shall be positioned as follows: (a) One circulating throughout the first floor, including the rear fire exit; (b) One circulating throughout the second floor, when in use by members of the public, including the rear fire exit; and (c) One circulating throughout the premises as required.**
- 33. Further supervisors shall be on duty as required according to assessment of risk for each event.**
- 34. There shall be a cloakroom attendant stationed in the cloakroom.**
- 35. There shall be a minimum of one 'trained first aider', holding a valid qualification, in the premises whilst the licence is in use.**
- 36. The licensee shall have a Staff Duty Rota, which identifies individuals roles(s) and/or responsibilities for each shift e.g. Barman, Fire Warden, Door Supervisor etc. This duty rota must be available for inspection by an authorised officer of the Council, the Police or Fire Authority.**
- 37. There shall be a queuing system at the entrance to the premises that shall be properly monitored and supervised by the door supervisory staff.**
- 38. All fire exit doors shall be connected to a suitable cut out device, so that, in the event of the doors being opened during amplified musical entertainment the amplified music is switched off. There shall be an alternative system in place for emergency announcements that continues to operate in the event of the amplified musical entertainment being switched off.**
- 39. Signs shall be prominently displayed on the exit doors advising patrons that the premises are in a 'Drinking Control Zone' and that alcohol should not be taken outside the premises and consumed in the street.**
- 40. The external fire escape stairs shall be maintained in good condition. Reports on the condition of the external fire escape stairs shall be obtained**

from a competent engineer at intervals of no more than five years and any necessary remedial work carried out.

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

- 41. A suitable policy shall be drawn up by the premises licence holder and management of the club along with Police, to supervise patrons leaving the club on closing.**
- 42. Text and/or radio pagers shall be used by all staff at the premises.**
- 43. Drinking vessels shall be made of toughened glass or plastic and shall be designed not to have a sharp edge when broken.**
- 44. Incidents shall be logged and recorded in a logbook at the premises. Once complete logbooks shall be kept for at least six months. Such books shall be made available to an authorised officer of the council or police on request.**
- 45. Toilets at the premises shall be checked for any sign of drug use on average every hour until closing time. A record shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police upon request.**
- 46. The premises shall operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.**
- 47. At least six prominent, clear and legible notices shall be displayed throughout the premises, including in all the toilets, warning customers that drug use will not be tolerated.**
- 48. Floor staff shall conduct physical sweeps inside the premises on average every hour to remove hazardous objects/waste.**
- 49. The manager of the premises shall liaise with local neighbours as part of their duties to resolve any concerns as and when complaints are received.**
- 50. A telephone number for the premises shall be made available on request for local residents who have any concerns about the premises.**
- 51. 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; (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; (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 / authorised officers of the council 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.

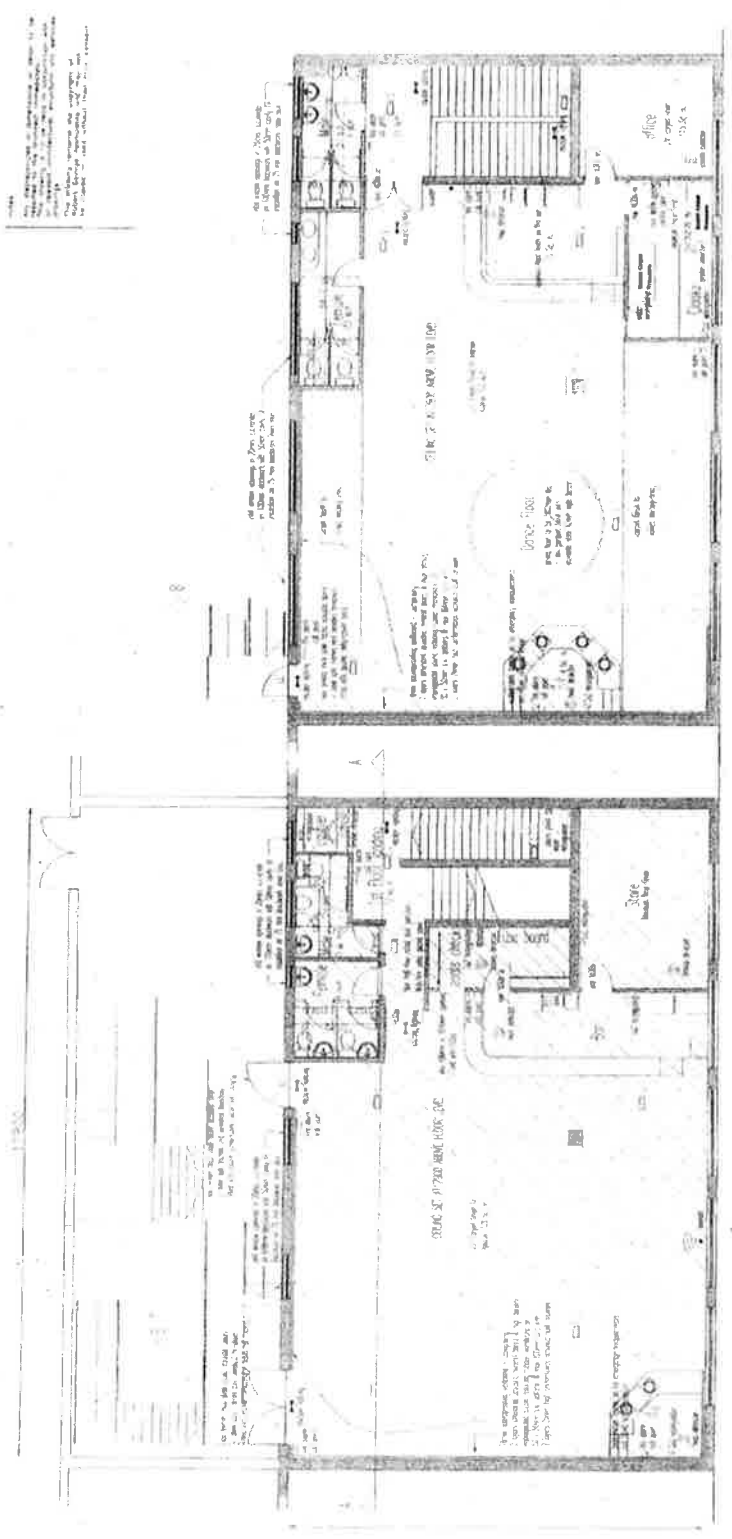
52. There shall be no entry or re-entry by customers to the premises after 01:00.

53. Prominent, clear and legible notices shall be displayed at all public exits from the premises. The notices shall be positioned at eye-level and in a location where they can be read by persons leaving the premises. The notices shall state "Customers are asked to respect the needs of local residents and to leave these premises and the area quietly."

54. The management at approximately hourly intervals shall make subjective assessments of noise levels whilst regulated entertainment is provided. This is to ensure that noise from the premises does not cause disturbance to local residents. Records shall be kept of the times, dates, location of checks and any issues discovered. These records shall be kept for one year. Records shall be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the premises boundary measures shall be taken to reduce this i.e. turning volume down.

- 55. Doors and windows at the premises shall be kept closed but not locked at all times amplified live or recorded music is being provided except for entry and egress.**
- 56. A noise limiting device shall be installed to any amplification equipment in use on the premises and shall be maintained in effective working order. The noise limiter should be set so that noise does not emanate from the premises so as to cause a nuisance to nearby properties. The noise limiter shall be recalibrated annually to ensure that the music volume does not exceed the level at which a noise nuisance to neighbours will occur. A copy of the calibration certificate shall be kept on the premises and made available to the Police or Council Officer on request.**
- 57. All door supervisors shall be easily identifiable, over and above the display of identity badges, by the use of high visibility armbands or tabards or other similar equipment.**
- 58. All training shall be documented and records kept. These records shall be kept for at least 6 months and shall be made available to the Police and/or Local Authority upon request.**
- 59. A personal licence holder shall be on the premises at all times that the licence is in force.**
- 60. A written record of refused sales must be kept on the premises and completed when necessary. Records must be kept for one year, and must be made available to Police and/or the Local Authority upon request.**
- 61. A weapons search arch shall be fitted and maintained in good working order at the entrance to the club and that all customers must go through this arch as a condition of entry.**
- 62. A suitable Club ID scan shall be fitted and utilised as a condition of entry for all customers.**
- 63. All door supervisors must enter their SIA badge number and company that they are employed by. Door supervisors will enter the time they start and finish their shift into the staff register book.**
- 64. No more than 15 smokers shall be allowed in the smoking area. Door supervisors shall monitor this area to ensure there is no noise nuisance.**
- 65. All persons who enter or re-enter the premises (including smokers) must be subject to a search in accordance with a Search policy, agreed by Police.**
- 66. Toilet attendants shall ensure that only one person is permitted in each toilet cubicle at a time.**

Annex 4 – Plans



PROPOSED SECOND FLOOR PLAN

PROPOSED FIRST FLOOR PLAN

1:250

1:250

W.S. PROVISIONS LIMITED
 155-171 KING STREET
 TORONTO, ONT. M5H 2K6

1st & 2nd FLOOR PLANS AS PROPOSED

NO.	DATE	BY	CHKD.
1	08/20/08	AS/AL/AL	

Robert Savage & Associates
 Professional Engineers
 1000 Bay Street, Suite 200
 Toronto, Ontario M5G 1R7

LA FACE - LN/200700373 – MODIFIED LICENCE HOURS

Hours the premises are open to the public : Sunday* to Thursday from 10:00 to 00:30 the following day, on Friday & Saturday from 10:00 to 02:30 the following day, on the day before British Summer Time commences from 10:00 to 03:30 the following day and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Supply of alcohol (on supplies only) : Sunday* to Thursday from 10:00 to 00:00, on Friday & Saturday from 10:00 to 02:00 the following day, on the day before British Summer Time commences from 10:00 to 03:00 the following day and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Films, Live music, Recorded music & Performance of dance : Sunday* to Thursday from 10:00 to 00:00, on Friday & Saturday from 10:00 to 02:30 the following day, on the day before British Summer Time commences from 10:00 to 03:30 the following day and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Facilities for making music & Facilities for dancing : On 1 October 2012 the Live Music Act 2012 amended the Licensing Act 2003 and these activities ceased to be licensable activities.

Late night refreshment : Sunday* to Thursday from 23:00 to 00:30 the following day, on Friday & Saturday from 23:00 to 02:30 the following day, on the day before British Summer Time commences from 23:00 to 03:30 on New Year's Eve from 23:00 to 05:00 the following day.

* On 12 "special occasions" a year the premises may open on Sundays until 02:30 with all licensable activities terminating at 02:00. Written/emailed notice of these events must be provided to the Enfield Police Licensing Officer and Licensing Department of Enfield Council at least 7 days in advance of the event.

LA FACE - LN/200700373 – MODIFIED LICENCE CONDITIONS**Annex 1 - Mandatory Conditions**

- 1. No supply of alcohol may be made under the premises licence : (a) At a time when there is no designated premises supervisor in respect of the premises licence; or (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.**
- 2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**
- 3. The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made : (a) By the British Board of Film Classification (BBFC) where the film has been classified by that Board; or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) (b) of the Licensing Act 2003 applies to the film.**
- 4. Immediately before each exhibition of a film passed by the British Board of Film Classification there shall be exhibited on a screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.**
- 5. Where the licence includes a condition that individuals are required to carry out any security activity at specified times at the premises each individual must be licensed by the Security Industry Authority.**

Annex 2 - Conditions consistent with the Operating Schedule

- 6. 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.**
- 7. Staff at the premises shall be trained, as appropriate, in respect of relevant licensing law, the implementation of licence conditions, health safety, first aid, alcohol and drug awareness and conflict management.**
- 8. Bag searches shall be conducted at random at the premises.**
- 9. Known troublemakers shall be barred from the premises.**
- 10. Signs shall be displayed throughout the premises alerting customers to possible theft.**

11. **Public transport information (including night-time travel options) shall be available to customers at the premises.**
12. **The telephone number of an allocated taxi firm shall displayed within the premises.**
13. **The maximum number of persons present on the premises at any one time shall not exceed 350, including no more than 100 persons on the 2nd floor of the premises.**
14. **Management and door supervisors shall encourage customers to leave the premises quietly.**
15. **The Red Care burglar alarm system shall be operated and maintained at the premises. Panic buttons must be fitted to bar areas and the reception desk as part of the red care alarm system.**
16. **The premises must fully participate in the Edmonton Retailers Association link radio system.**
17. **The fire alarm system shall incorporate an effective performance-mode system to alert staff to activation of the alarm.**
18. **There shall be an effective written fire emergency plan. The plan shall be practiced by conducting fire drills at regular intervals as necessary to ensure that all staff are familiar wit the fire alarm system and the actions to be taken. The details of those attending fire drills shall be recorded in a logbook.**
19. **Safety checks in accordance with a written procedure shall be carried out before the admission of the public. The procedure shall include checks to ensure that all removable security fastenings have been removed, that exit doors function satisfactorily and that exit routes are unobstructed. Details of the checks made shall be recorded in a logbook prior to opening.**
20. **Light levels sufficient for safe evacuation shall be maintained on all escape routes while the premises are occupied.**
21. **Deliveries shall not be received at the premises other than between the hours of 07:00 and 19:00.**
22. **Staff shall be positioned by exit doors of the premises at all times regulated entertainment is taking place and until 30 minutes after closing time to monitor the behaviour of customers leaving to ensure that customers leave the premises and the area quietly.**
23. **Children under the age of 18 years shall not be admitted to the premises at any time licensable activities are taking place.**

24. **No fastenings to exit doors other than panic bolts. Any other lock, bolts or chains to be removed whilst the premises are in use under this licence.**
25. **No storage shall be allowed in the rear yard of the premises adjacent to fire escape stairway and the rear exit gate shall be unobstructed at all times.**
26. **All rear fire exits and the ground floor front entrance/exit doors shall be maintained unobstructed, immediately available and clearly identifiable while the licence is in use.**
27. **The licensee shall keep the external stairs and walkways clear of snow and ice.**
28. **The exterior escape route shall be kept sufficiently clear and well lit to allow the public to disperse well clear of the building to a place of safety.**
29. **An effective counting system shall be employed to ensure the capacity limit is not exceeded.**
30. **A minimum of two door supervisors shall be on duty at the entrance, at all times the licence is in operation, to secure and control patrons entering and leaving the premises.**
31. **A further three supervisors shall be positioned as follows: (a) One circulating throughout the first floor, including the rear fire exit; (b) One circulating throughout the second floor, when in use by members of the public, including the rear fire exit; and (c) One circulating throughout the premises as required.**
32. **Further supervisors shall be on duty as required according to assessment of risk for each event.**
33. **There shall be a cloakroom attendant stationed in the cloakroom.**
34. **There shall be a minimum of one 'trained first aider', holding a valid qualification, in the premises whilst the licence is in use.**
35. **The licensee shall have a Staff Duty Rota, which identifies individuals roles(s) and/or responsibilities for each shift e.g. Barman, Fire Warden, Door Supervisor etc. This duty rota must be available for inspection by an authorised officer of the Council, the Police or Fire Authority.**
36. **There shall be a queuing system at the entrance to the premises that shall be properly monitored and supervised by the door supervisory staff.**
37. **All fire exit doors shall be connected to a suitable cut out device, so that, in the event of the doors being opened during amplified musical**

entertainment the amplified music is switched off. There shall be an alternative system in place for emergency announcements that continues to operate in the event of the amplified musical entertainment being switched off.

38. Signs shall be prominently displayed on the exit doors advising patrons that the premises are in a 'Drinking Control Zone' and that alcohol should not be taken outside the premises and consumed in the street.
39. The external fire escape stairs shall be maintained in good condition. Reports on the condition of the external fire escape stairs shall be obtained from a competent engineer at intervals of no more than five years and any necessary remedial work carried out.
40. A suitable policy shall be drawn up by the premises licence holder and management of the club along with Police, to supervise patrons leaving the club on closing.
41. Text and/or radio pagers shall be used by all staff at the premises.
42. Drinking vessels shall be made of toughened glass or plastic and shall be designed not to have a sharp edge when broken.
43. Incidents shall be logged and recorded in a logbook at the premises. Once complete logbooks shall be kept for at least six months. Such books shall be made available to an authorised officer of the council or police on request.
44. Toilets at the premises shall be checked for any sign of drug use on average every hour until closing time. A record shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police upon request.
45. The premises shall operate the Local Authority or similar proof of age scheme and display the relevant material. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.
46. At least six prominent, clear and legible notices shall be displayed throughout the premises, including in all the toilets, warning customers that drug use will not be tolerated.
47. Floor staff shall conduct physical sweeps inside the premises on average every hour to remove hazardous objects/waste.
48. The manager of the premises shall liaise with local neighbours as part of their duties to resolve any concerns as and when complaints are received.

49. A telephone number for the premises shall be made available on request for local residents who have any concerns about the premises.
50. 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; (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; (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 / authorised officers of the council 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.

- 51. Prominent, clear and legible notices shall be displayed at all public exits from the premises. The notices shall be positioned at eye-level and in a location where they can be read by persons leaving the premises. The notices shall state "Customers are asked to respect the needs of local residents and to leave these premises and the area quietly."**
- 52. The management at approximately hourly intervals shall make subjective assessments of noise levels whilst regulated entertainment is provided. This is to ensure that noise from the premises does not cause disturbance to local residents. Records shall be kept of the times, dates, location of checks and any issues discovered. These records shall be kept for one year. Records shall be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the premises boundary measures shall be taken to reduce this i.e. turning volume down.**
- 53. Doors and windows at the premises shall be kept closed but not locked at all times amplified live or recorded music is being provided except for entry and egress.**
- 54. A noise limiting device shall be installed to any amplification equipment in use on the premises and shall be maintained in effective working order. The noise limiter should be set so that noise does not emanate from the premises so as to cause a nuisance to nearby properties. The noise limiter shall be recalibrated annually to ensure that the music volume does not exceed the level at which a noise nuisance to neighbours will occur. A copy of the calibration certificate shall be kept on the premises and made available to the Police or Council Officer on request.**
- 55. All door supervisors shall be easily identifiable, over and above the display of identity badges, by the use of high visibility armbands or tabards or other similar equipment.**
- 56. All training shall be documented and records kept. These records shall be kept for at least 6 months and shall be made available to the Police and/or Local Authority upon request.**
- 57. A written record of refused sales must be kept on the premises and completed when necessary. Records must be kept for one year, and must be made available to Police and/or the Local Authority upon request.**
- 58. A weapons search arch shall be fitted and maintained in good working order at the entrance to the club and that all customers must go through this arch as a condition of entry.**
- 59. A suitable Club ID scan shall be fitted and utilised as a condition of entry for all customers.**

60. All door supervisors must enter their SIA badge number and company that they are employed by. Door supervisors will enter the time they start and finish their shift into the staff register book.
61. No more than 15 smokers shall be allowed in the smoking area. Door supervisors shall monitor this area to ensure there is no noise nuisance.
62. All persons who enter or re-enter the premises (including smokers) must be subject to a search in accordance with a Search policy, agreed by Police.
63. Toilet attendants shall ensure that only one person is permitted in each toilet cubicle at a time.

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

64. On Friday and Saturday nights (and any "Special Occasions" on Sundays there shall be no entry or re-entry to the premises by customers after 00:30 (save for smokers who have temporarily left the premises).
65. On Friday and Saturdays a minimum of 6 door supervisors must be employed at the premises at all times after 22:00. One of these door supervisors is to be specifically tasked with monitoring drunkenness in customers.
66. All door staff must be supplied by an external company having "Approved Contractor Status" with the Security Industry Authority.
67. There shall be a personal licence holder on duty on each of the two floors of the premises (if open for customers) at all times licensable activities take place. A further personal licence holder will monitor and patrol the whole of the premises.
68. All glasses and beer bottles supplied to customers must be made of polycarbonate/plastic.
69. Save for access and egress the front door of the premises must be kept closed after the last entry time.
70. Notices shall be displayed at each public entrance to the premises detailing the policy on admission and searching at the premises. The notice shall include details of the last entry time and the need for photo ID.

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