

Public Document Pack



LICENSING SUB-COMMITTEE

Wednesday, 16 December 2015 at 10.00 am
Council Chamber, Civic Centre, Silver Street,
Enfield, EN1 3XA

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Committee Secretary
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Council website: www.enfield.gov.uk

Councillors : Chris Bond (Chair), George Savva MBE and Eric Jukes

AGENDA – PART 1

1. WELCOME AND APOLOGIES FOR ABSENCE

2. DECLARATION OF INTERESTS

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

3. ROYAL VENUE, 1 JUTE LANE, ENFIELD, EN3 7PJ (REPORT NO. 147) (Pages 1 - 48)

Application for a new premises licence.

4. MINUTES OF PREVIOUS MEETING (Pages 49 - 56)

To receive and agree the minutes of the meeting held on Wednesday 25 November 2015.

5. EXCLUSION OF THE PRESS AND PUBLIC

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

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MUNICIPAL YEAR 2015/16 REPORT NO.

COMMITTEE :
Licensing Sub-Committee
16 December 2015

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT : New premises licence application	
PREMISES : Royal Venue, 1 Jute Lane, ENFIELD, EN3 7PJ	
WARD : Enfield Highway	

1. LICENSING HISTORY & CURRENT POSITION:

1.1 The table below summarises the significant licensing history at the premises situated at 1 Jute Lane, EN3 7PJ:

Date	Premises Licence Number	Premises Name	Premises Licence Holder	DPS
4/12/08	LN/200502096	Club Jute	Mr Vedat Habiboglu	Mr Vedat Habiboglu
8/6/10	LN/200800724	Club Jute	Mr Hilmi Deveci	Mr Vedat Habiboglu
15/7/10	""	Club JD's	Mr Mustafa Uluhan	Mr John Cummins
27/8/10	""	Club JD's	Club JD's Ltd	Mr John Cummins
9/2/11	""	Club JD's	Club JD's Ltd	Mr Charles Allen
21/6/12	""	Club JD's	Club JD's Ltd	Mr Nigel Rogers
27/2/13	""	The Lounge Nightclub Limited	The Lounge Nightclub Limited	Ms Ruth Becker
5/9/13	""	Club 303	Mr Steven James Mugridge	Ms Vanessa Short
22/11/13	""	Club 303	Mr Aydogan Islamoglu	Mr Aydogan Islamoglu
18/2/14	""	Club 303	Ms Vanessa Short	Ms Vanessa Short
29/9/14	LN/201400539	Club Zeros	Ebony Ice Productions UK Ltd	Ms Vanessa Short
12/2/15	""	Club Zeros	Ebony Ice Productions UK Ltd	Mr Ilker Ahmet

1.2 Premises Licence 1 LN/200502096

1.2.1 This licence was surrendered on 26 January 2010 by Mr Vedat Habiboglu.

1.3 Premises Licence 2 LN/200800724

1.3.1 On 15 June 2010 a review application by the Metropolitan Police was submitted, due to the number of incidents of assault including a shooting of a DJ outside of the premises. The conditions of the licence were modified at the Licensing Sub-Committee hearing on 1 September 2010.

1.3.2 On 19 February 2013, the Licensing Sub-Committee formed to hear a Police Review application hearing after a closure notice. The notice was applied for following a large fight that took place at the premises involving 30-50 males on Saturday 1st February 2013. The fight resulted in one male being arrested for assaulting a police officer and another male being arrested for possession of cocaine. The premises was also open and trading at 05:30 when it should have closed by 03:30. The Licensing Sub-Committee modified the conditions of the licence.

1.3.3 This licence was surrendered by Ms Vanessa Short on 2 June 2014.

1.4 Premises Licence 3 LN/201400539

1.4.1 On 29 September 2014, an application by Ebony Ice Productions UK Ltd for a new Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers. Ms Vanessa Short was the named DPS.

1.4.2 On 13 February 2015, an application by Ebony Ice Productions UK Ltd to vary the DPS from Ms Vanessa Short to Mr Ilker Ahmet, which was not subject to any representations, was granted by officers in accordance with delegated powers.

1.4.3 On 24 August 2015 the Metropolitan Police Service applied for a Summary Review of the Premises Licence under Section 53A of the Licensing Act 2003.

1.4.4 On 2 September 2015, Mr Ilker Ahmet surrendered his position as DPS at Club Zeros.

1.4.5 On 16 September 2015, the Licensing Sub Committee revoked this premises licence.

2 THIS APPLICATION :

- 2.1 A copy of a location map of the premises is attached as Annex 01.
- 2.2 A copy of the application is attached as Annex 02.
- 2.3 The application is for a new premises licence at Royal Venue, 1 Jute Lane, Enfield, EN3 7PJ, and names Mr Agron XHAURI as both the proposed Premises Licence Holder and Designated Premises Supervisor.
- 2.4 The application is for live music, recorded music, performance of dance, provision of late night refreshment and the supply of alcohol.
- 2.5 As a result of mediation between the applicant and the Licensing Authority, the application now seeks:

Activity	Proposed Times, as per application	Recommended Times by Police and LA	Agreed by Applicant?	Applicant now seeks the following:
Opening hours Monday to Thursday Friday to Sunday	11:00 – 03:30 everyday	11:00 – 00:30 everyday	Yes - Monday to Thursday No Friday to Sunday. Applicant proposes: 11:00 – 3am	11:00 to 00:30 Monday to Thursday 11:00 to 03:00 Friday to Sunday
Supply of alcohol (on sale only) Live Music Recorded music Performance of dance	11:00 – 03:00 everyday	11:00 – 00:00 everyday	Yes - Monday to Thursday No Friday to Sunday. Applicant proposes: 11:00 – 2.30am for all activities	11:00 to 00:00 Monday to Thursday 11:00 to 02:30 Friday to Sunday
Late Night Refreshment	23:00 – 03:00 everyday	23:00 – 00:00 everyday	Yes - Monday to Thursday No Friday to Sunday. Applicant proposes: 23:00 – 2.30am for LNR	23:00 to 00:00 Monday to Thursday 23:00 to 02:30 Friday to Sunday

- 2.6 The applications were advertised in accordance with the requirements of the Licensing Act 2003.
- 2.7 Each of the Responsible Authorities were consulted in respect of each application.

3 RELEVANT REPRESENTATIONS :

- 3.1 **Metropolitan Police:** Representation is made on the grounds of the prevention of crime & disorder, public safety, protection of children from harm and public nuisance. The authority considers that it is appropriate, for the promotion of the licensing objectives, to object to the application in its entirety.
- 3.2 A copy of the original Police representation is attached as Annex 03.
- 3.3 A copy of the additional Police representation is attached as Annex 04.
- 3.4 **Licensing Authority (including Licensing Enforcement, Environmental Health, Trading Standards, Planning, Health & Safety and Children's Services):** Representation is made on the grounds of the prevention of crime & disorder, and public nuisance. The authority considers that it is appropriate, for the promotion of the licensing objectives, to object to the full hours sought and as seen by the table above, proposes a reduction in hours. The applicant has agreed to the reduction in hours for Monday to Thursday but still seek the later hours Friday to Sunday. The conditions proposed by the Licensing Authority have been agreed by the applicant.
- 3.5 A copy of the Licensing Authority representation is attached as Annex 05.

4 PROPOSED LICENCE CONDITIONS:

- 4.1 The conditions arising from this application are attached as Annex 06.

5 RELEVANT LAW, GUIDANCE & POLICIES:

- 5.1 The paragraphs below are extracted from either:
- 5.1.1 Licensing Act 2003 ('Act'); or
- 5.1.2 Guidance issued by the Secretary of State for Culture, Media and Sport of March 2010 ('Guid'); or
- 5.1.3 London Borough of Enfield's Licensing Policy Statement of January 2010 ('Pol').

General Principles:

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

- 5.4 In carrying out its functions, the Sub-Committee must also have regard to :
- 5.4.1 the Council's licensing policy statement; &
- 5.4.2 Guidance issued by the Secretary of State [Act s.4(3)].
- 5.5 The Sub-Committee may not have regard to whether or not a proposal is likely to be permitted in accordance with the law relating to planning or building [Pol s.17.1].
- 5.6 **Hours:** The Sub-Committee decides licensed opening hours as part of the implementation of the licensing policy statement and is best placed to make decisions about appropriate opening hours in their area based on their local knowledge and in consultation with responsible authorities [Guid 10.13].
- 5.7 However, there is no general assumption in favour of lengthening licensing hours and the four Licensing Objectives should be paramount considerations at all times. Where there are representations against an application and the Sub-Committee believes that extending the licensing hours would undermine the Licensing Objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested. [Pol s.8.3].
- 5.8 Stricter conditions with regard to licensing hours may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided. This will particularly apply in circumstances where, having regard to the location, size and nature of the premises , it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods [Pol s.8.4].
- 5.9 **Decision:** As a matter of practice, the Sub-Committee should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representations and avoid straying into undisputed areas [Guid 9.36].
- 5.10 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - the guidance; and
 - its own statement of licensing policy [Guid 9.37].

5.11 Having heard all of the representations (from all parties) the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are:

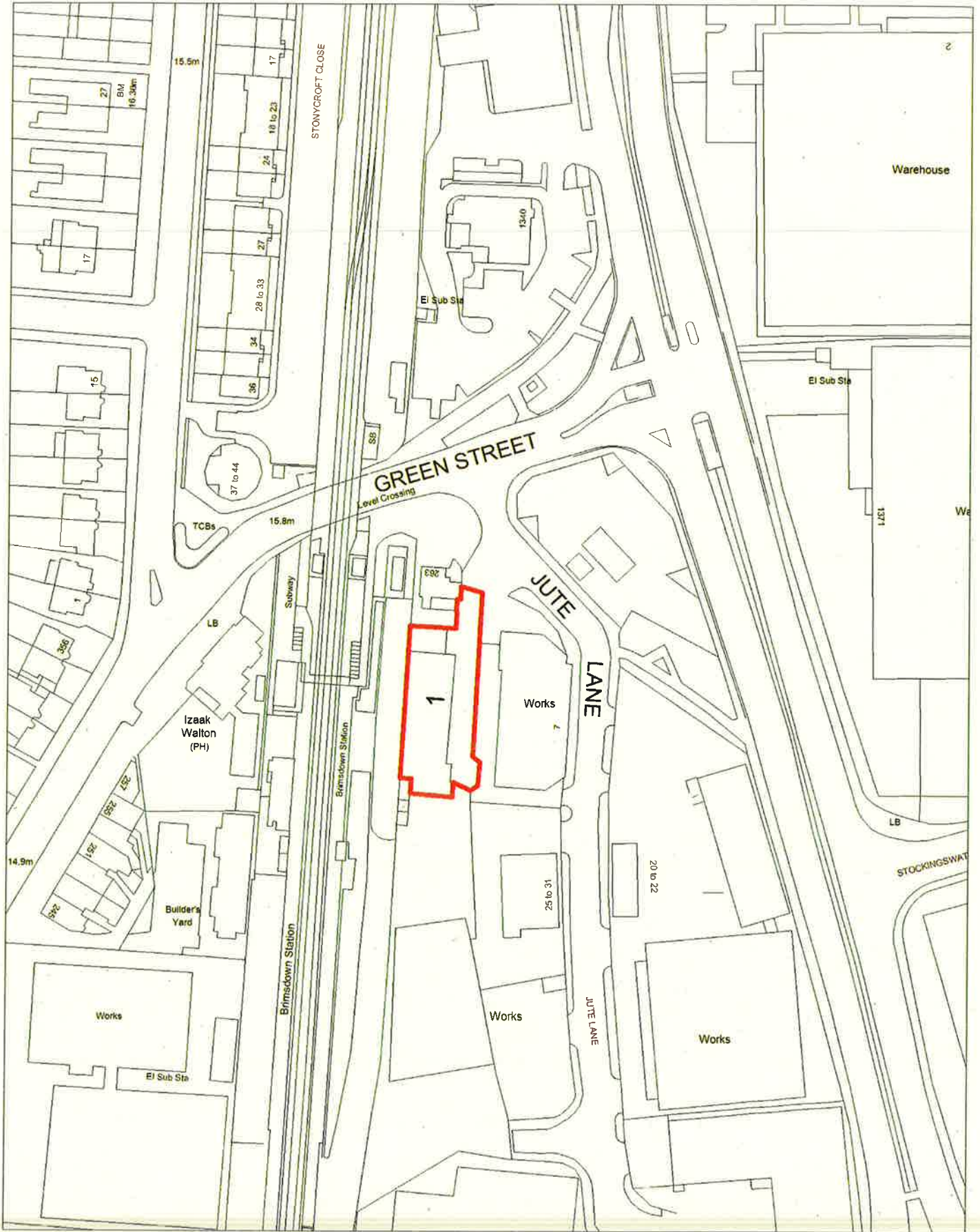
- to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
- to exclude from the scope of the licence any of the licensable activities to which the application relates;
- to refuse to specify a person in the licence as the premises supervisor;
- to reject the application [Act s.18].

Background Papers :

None other than any identified within the report.

Contact Officer :

Ellie Green on 020 8379 8543



Royal Venue, 1 Jute Lane, ENFIELD, EN3 7PJ

LONDON BOROUGH OF ENFIELD
CIVIC CENTRE, SILVER STREET,
ENFIELD, EN1 3XE
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Drg.No. 6700FG
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Date 30 Nov. 2015

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Annex 02
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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.

I/We **AGRON XHAURI**

(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

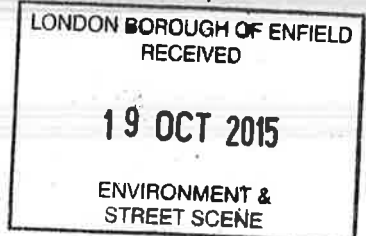
Postal address of premises or, if none, ordnance survey map reference or description ROYAL VENUE			
1 JUTE LANE ENFIELD			
Post town	LONDON	Post code	EN3 7PJ

Telephone number at premises (if any)	020 3489 1070
Non-domestic rateable value of premises	£ 29,500

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 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)
- d) a charity please complete section (B)



Email

- 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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname XHAURI			First names AGRON		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		84 BARNES HOUSE 220 ST MARYS BARKING			
Post Town	LONDON		Postcode	IG11 7SZ	
Daytime contact telephone number		0208 801 6601			
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> 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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	6	1 1 2 0 1 5

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)
 The premises is located on the ground floor and mzanine at 1 Jute Lane.
 The licensable activities are sale of alcohol ON the premises, live music, recorded music, performance of dance and late night refreshment. The alcohol only will sale in operation hours and the alcohol will be consumed ON the premises.
 The premises was licensed however it has been revoked by the licensing authority. the licence holder was different than the current applicant. Please see the attached previous licence.

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

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)

- | <u>Provision of regulated entertainment</u> | Please tick yes |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
|
<u>Provision of entertainment facilities:</u> | |
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box L) | <input checked="" type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box M) | <input checked="" type="checkbox"/> |

In all cases complete boxes N, O and P

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	11:00	03:00			
Sun	11:00	03:00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	03:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
	0				
Sat	11:00	03:00			
Sun	11:00	03:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	03:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11:00	03:00			
Wed	11:00	03:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	03:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	03:00			
Sun	11:00	03:00			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	03:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	23:00	03:00			
Wed	23:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	03:00			
Fri	23:00	03:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	03:00			
Sun	23:00	03:00			

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	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11:00	03:00			
Tue	11:00	03:00			
Wed	11:00	03:00			
Thur	11:00	03:00			
Fri	11:00	03:00			
Sat	11:00	03:00			
Sun	11:00	03:00			
			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)		

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

Name AGRON XHAURI	
Address 84 BARNES HOUSE 22 ST MARYS BARKING	
Postcode	IG11 7SXZ
Personal Licence number (if known) 012100	
Issuing licensing authority (if known) BARKING AND DAGENHAM 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	
Mon	11:00	03:30	
Tue	11:00	03:30	
Wed	11:00	03:30	
Thur	11:00	03:30	
Fri	11:00	03:30	
Sat	11:00	03:30	
Sun	11:00	03:30	

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)

The applicant will accept the follow conditions. The alcohol only will sale in operation hours and the alcohol will be consumed ON the premises. Cctv will is installed to the premises, installed the cctv system that meet the standard in 'Uk police requirements for digital cctv system. The premises operates the "challenge 25" the proof of age scheme. The premises will open and shut at its permitted hours and the sale of alcohol or any other permitted licensing activity will not be carried out at any other time than its permitted opening hours. The premises shall install and maintain a CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. THE CCTV SHALL BE IN OPERATION AT ALL THE PREMISES ARE OPEN TO THE PUBLIC. A MEMBER OF STAFF CAPABLE OF DOWNLOADING IMAGES FOR THE POLICE OR AUTHORISED COUNCIL OFFICERS SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

b) The prevention of crime and disorder

CCTV is installed to the premises for safety and crime prevention. Will not serve alcohol who already drunk in the premises. The DPS will undertake routine monitoring of the refusals records and record that this is being done. All staff that makes sales of alcohol receives regular training (induction and refresher). Installed CCTV systems that meet the standard in 'UK police requirements for digital CCTV systems' shall operate and record video images at all times that premises are open to the public and any recordings made will be retained for not less than 30 days and made available to a police officer on request. A member of staff on premises at the relevant time will be capable of operating the CCTV system.

c) Public safety

Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all time of the operating hours. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received regards crime and disorder
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any refusal of the sale of alcohol

d) The prevention of public nuisance

All occasions when persons have been refused service will be recorded in a refusals book, which shall be kept at the premises for not less than 12 months. Suitable signage will be displayed at the point of exit advising customers leave the premises quietly. Deliveries to the premises shall only be made during normal working hours. Bottles and similar goods shall not be handled outside the premises in the late evening, night or early morning. Bins shall not be emptied outside the premises in the late evening, night or early morning.

e) The protection of children from harm

We will be very strict to not sell alcohol to children and under age. Any alcohol must be sold by DPS or a person authorised by the DPS at all times. All staff who sells alcohol will be trained in the role by the DPS with regular refresher training. Records of training will be kept and made available for examining officers of the relevant authorities. Where a person appears to be under the age 25, identification in the form of passport, photo driving licence or a proof of age card bearing the pass hologram will be sought and if not provided service of alcohol will be refused. Suitable signage will be displayed at the point of entry and at the service area advising customers that the premises operates the "challenge 25" proof of age scheme.

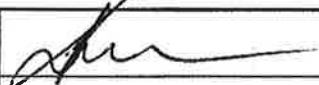
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 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	16/10/2015
Capacity	AGENT

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13) KENAN KARA UNIT 17, ASHLEY HOUSE ASHLEY ROAD			
Post town	LONDON	Post code	N17 9LZ
Telephone number (if any)	0208 801 6601		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@advancepl.co.uk			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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

AGRON XHAURI

[name of applicant]

concerning the supply of alcohol at

ROYAL VENUE
1 JUTE LANE
ENFIELD, EN3 7PJ

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

012100

[insert personal licence number, if any]

Personal licence issuing authority

BARKING AND DAGENHAM COUNCIL

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

Signed



Name (please print)

AGRON XHAURI

Date

15/10/2015

Consent of individual to being specified as premises supervisor

AGRON XHAURI

[full name of prospective premises supervisor]

of

84 BARNES HOUSE
220 ST MARYS
BARKING
IG11 7SZ

[home address of prospective premises supervisor]

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

NEW PREMISES LICENCE APPLICATION

[type of application]

by

AGRON XHAURI

[name of applicant]

relating to a premises licence

NONE

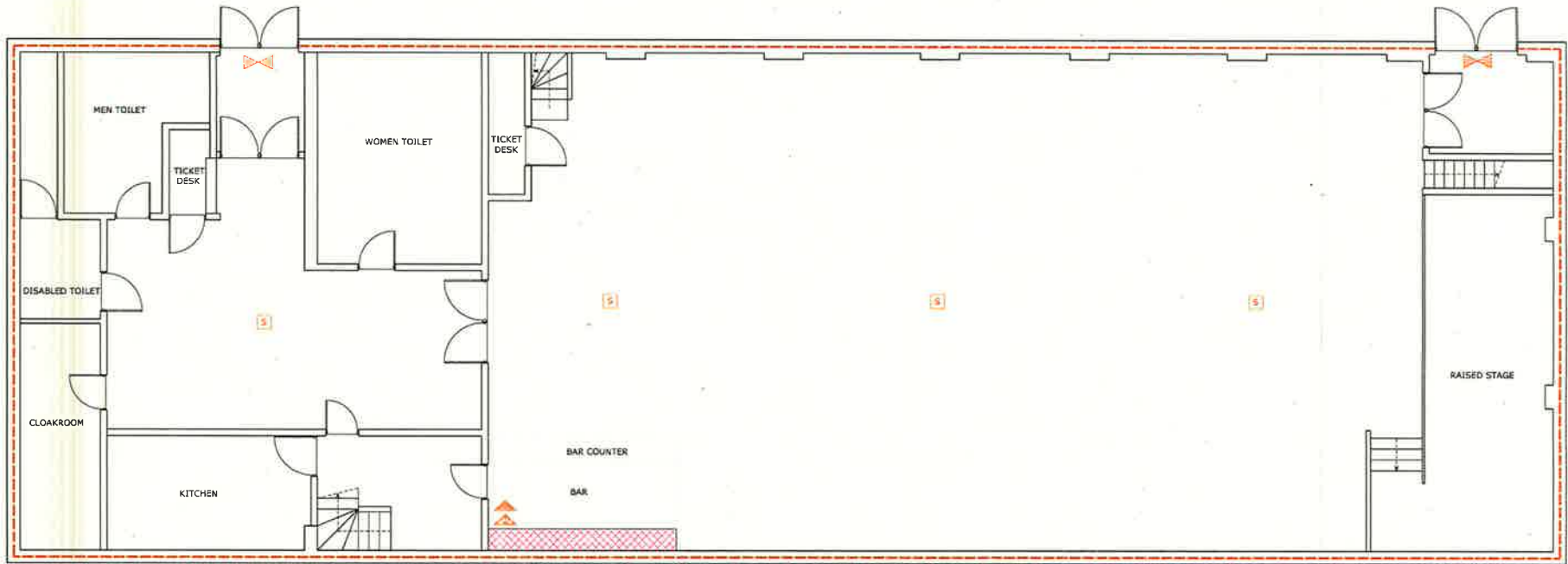
[number of existing licence, if any]

for

ROYAL VENUE
1 JUTE LANE
ENFIELD, EN3 7PJ

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

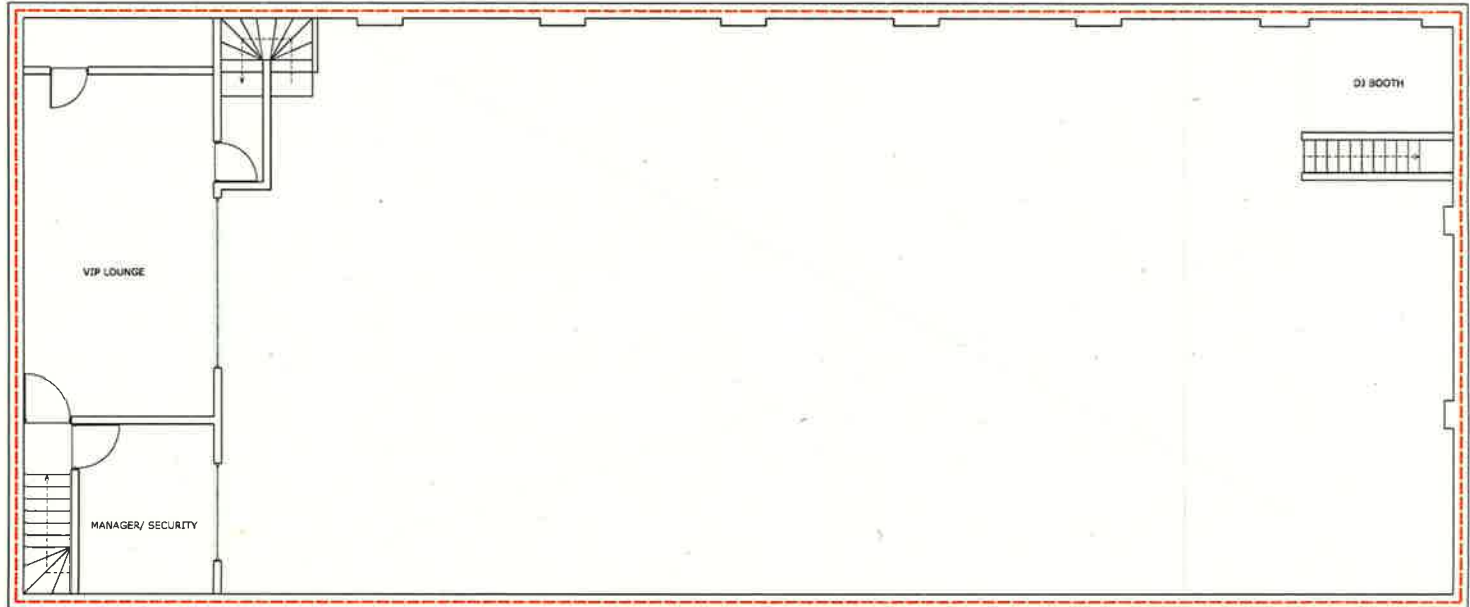
GROUND FLOOR PLAN



LEGEND

-  AMBIT OF PREMISES
-  LIQUOR SALES
-  SAFETY LIGHTING
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER

MEZZANINE FLOOR PLAN



1. All dimensions to be verified on site
 2. All dimensions are in millimeters.
 3. No works shall commence until all approvals and agreements have been obtained. These include, Planning, Building Regulations, Thames Water and Party Wall.
 4. The Copyright of this drawing belong to Advance Planning and Licensing Limited.

PROJECT	1 JUTE LANE, ENFIELD EN3 7PJ	DRAWING NUMBER	15.104.01	SCALE	1:100 @ A3
TITLE	FLOOR PLANS	DATE	16.10.15	SCALE BAR	



**METROPOLITAN
POLICE**

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TERRITORIAL POLICING



Uniting against crime

Civic Centre
Silver Street
Enfield
EN1 3XA

METROPOLITAN POLICE SERVICE
Licensing Team
Enfield Borough Police
462 Fore Street
Edmonton
Middlesex

Date 16.11.15

Office : 0208 345 3322
Mobile :
Facsimile :

Dear Sir or Madam

In relation to the premises licence application WK/215052460 at 1 Jute Lane, Enfield, EN3 7PJ. The Police would like to object on grounds of crime and disorder, public safety, protection of children from harm and public nuisance.

This venue was previously a nightclub known as Club Zeros. The licensing sub committee was minded to take the gravest step available to them and revoke the premises licence following a double stabbing and serious disorder at the venue. The final review hearing was the venues third such review as there had been a shooting and a serious assault involving knives previously.

At the final review hearing the applicant Mr Xhauri who had already purchased the venue, (as a nightclub) told me that he intended the venue to be a function hall for weddings. I expressed to him how important it would be to consult with Police before and during the application stage.

Mr Xhauri told me that he would contact me prior to submitting an application to discuss the best ways of promoting the licence objectives. The applicant has not contacted the Police Licensing Team at any time to discuss this application.

I have read through the operating schedule provided with the premise licence application and there is no mention that this will be a wedding venue or what will take place inside the venue.

The times requested on the application form are for the sale of alcohol, late night refreshment, Live music, recorded music and the performance of dance until 0300 and a terminal hour of 0330. The Council licensing policy draws reference to a study conducted into late night venues and alcohol consumption at points 9.6, 9.6.1, 9.10 and 9.11 and the effects on crime. These times are more akin to that of a nightclub.

Mr Xhauri is the licence holder/ DPS at other venues, in particular in Enfield the Tirana 2 restaurant. I have recently conducted a licence inspection at the premises. This was in fact a follow up visit to PC Fishers visit on the 25/09/15 where there were ten (10) breaches of the licence. A meeting was held with Mr Xhauri on the 29/09/15 to try to rectify these breaches.

On the 30/10/15 I attended the venue and there were eight (8) breaches of the licence some were new breaches including the sale of alcohol to patrons who were not having a table meal. A closure notice was issued. Mr Xhauri was not present at the inspection. The manager left in charge initially lied to Police and was not competent. He did not know the conditions on the licence or where documents were. This venue and Mr Xhauri faces prosecution under the Licensing Act 2003 and a closure order under the Criminal Justice and Police Act 2001.

Tirana 2 is a relatively small venue in comparison to the Royal Venue, the subject of this application.

I have concerns that if Mr Xhauri is showing poor management by failing to promote the licensing objectives by breaching so many licence conditions at Tirana 2 there will be a serious risk to the public at a much larger venue.

This venue at 1 Jute Lane EN3 7P previously had very strict conditions over entry such as search arches, I.D scanning machine, searching of patrons and door staff. These were put in place to promote all 4 of the licensing objectives. There is no mention of any such measures in the operating schedule. These conditions were added to the licence after serious

violence at the venue. The venue has changed owners/management many times in the past and all have failed following serious crime and disorder/violence, which highlights the dangers posed even under different ownership.

When this venue was a nightclub, it also caused a serious nuisance to the local residents, as highlighted in a statement provided to police during the final review hearing of Club Zeros. With no suitable parking at the venue patrons are forced to park in the neighbouring streets which are mainly residential. Late at night car doors opening and closing and the revving of engines with people trying to park had a seriously detrimental effect on their lives, so much so that one resident commented to me that she dreaded the weekend.

There is no mention in the operating schedule on how this issue will be tackled or whether the applicant is even aware of this issue.

The plans show ticket boxes and this is not something I would associate with a wedding venue. These are normally booked in advance with guest's admissions free. Although used for many things this is an indication that this could well be run as a nightclub.

There is no mention of how they will protect children from harm preventing access to the building and monitoring once inside which you would expect with such a large venue and this is complicated by not specifically detailing what the venue would be used for.

The proposed licensable activities, times and plans are more in common to a late night vertical drinking establishment much the same as it was under the previous licence.

For the year 2015 there were the two (2) reported Grievous Bodily Harms reported to Police as mentioned above at 1 Jute Lane EN3 7JP.

Conclusion

It is the opinion of the Police that to approve this application would seriously undermine the licensing objectives.

It would appear that Royal Venue is being called a wedding venue when it is in actual fact going to be a nightclub. The applicant's current business at Tirana 2 is an example of this circumventing of the act and shows a disregard to licensing objectives.

The operating schedule does not satisfactorily demonstrate the promotion of the licensing objectives.

This is neglecting their responsibilities under the act to prevent crime and disorder and maintain public safety.

The Police currently lack confidence in Mr Xhauri's ability to run this venue responsibly. The venue itself has proved itself to be an attractor to gangs and people willing to commit serious crime and disorder. This venue has been run by many who have all failed to run this venue safely. The venue was also a considerable drain to police resources, one incident alone required forty seven (47) police officers to attend.

The guidance contained within section 182 of the Licensing Act 2003 is clear that the Police are the primary source of advice on crime and disorder. It is felt that to grant this licence will lead to a serious risk to public safety.

The Police have considered what other factors could minimise the risk to the public and at this moment in time there are no other factors that can be put in place without significant consultation and co-operation between Mr Xhauri and the Police.

Yours Sincerely

Gary Marsh
PC 475YE
Police Licensing Team
Edmonton Police Station
0208 345 3322

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of PC Gary Marsh URN: [] [] [] []

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Officer 235380

This statement (consisting of: 5..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Signature] Date: 03rd DECEMBER 2015

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am Police Constable Gary Marsh. I have been a police officer for ten (10) years. I have been a licensing officer for six (6) months for Enfield Borough Police, working in a team responsible for licensing matters across the borough of Enfield. My role includes proactive patrols of these premises to ensure the licensing objectives are being upheld. I was previously on the Central Licensing Team (CLT) based at Charing Cross for nine (9) months. The CLT has the responsibility for having an oversight of all licensing matters across the Metropolitan Police Service, part of the role involves supporting boroughs providing them an operational response and assisting where needed at critical incidents or at times of high demand.

This is a supporting statement for an objection to a new premise licence application namely Royal Venue, 1 Jute Lane EN3 7JP council reference WK/215052460.

I have already submitted an objection notice dated the 16th November 2015 and this statement is to update and explain further actions since. This statement should be read in conjunction with the objection notice from police (exhibited as GM/1) and the notes of the meeting with police and Mr Xhauri (exhibited as GM/2).

Venue

The club is situated at the entrance of an industrial estate at 1 Jute Lane, EN3 7JP and sits almost in parallel to the train line at Ordnance Road. Entry to the club is via Jute Lane and accessed by gates at the front. This is the only entrance and has fencing around the perimeter. Through the gates is a long alleyway with the venue sitting to the right as you look down from the alley. At the end of the alley is another gate which is boarded and this forms a natural barrier between the end of the alleyway and the business premises yard at the end. I have included some pictures of the outside of the venue and exhibit these as GM/3

Signature: [Signature] Signature witnessed by:

2006/07(1): MG 11(T)

RESTRICTED (when complete)

RESTRICTED (when completed)

Continuation of Statement of P.C. GARY MARSA

The entrance into the venue is about halfway down the alley, this is visible from the pictures attached and is at the BLACK painted part of the building after the steel shutters. There are double doors which lead into a small narrow lobby.

Concerns

The Police have serious concerns that should this licence be granted the venue will become a nightclub and as such will become a serious risk to public safety. The operating schedule does not satisfactorily demonstrate how the licence objectives will be promoted.

A meeting was requested by the applicant Mr Xhauri on the 16th November 2015 following the submission of the Police objection. On the 18th November 2015 a meeting was held at Edmonton police station to discuss the application. A letter detailing this meeting is exhibit GAM/.

The application was discussed although from the beginning Mr Xhauri wanted to focus on the opening times and seemed dismissive to talk about anything else. The meeting was called to a close with no progress being made.

A visit to the venue found that the outside has not changed and the nightclub signs remain as they were before. Police have not yet been inside the venue.

Although this is a new application it is requesting a licence akin to a nightclub, it also only has planning for a nightclub not a banqueting suite. Although this is separate to the premise licence it worthy of note as to the intention that the premises will be used for. Therefore I think it relevant to note the level of crime and disorder that this venue previously had. I acknowledge that Mr Xhauri as far as we know was not concerned in the running of the venue at the time but shows how unsuitable this venue was as a nightclub. As previously mentioned there were 3 reviews at this premise previously and that this involved serious crime and disorder on every occasion culminating in the licence being revoked.

In one calender year there were two (2) incidents of Greivous Bodily Harm where the victims were stabbed. There were ten (10) 999 calls made to police for incidents of crime and disorder at the venue some involving groups fighting. These crimes and calls to police were between 0100 and 0600 hours.

These incidents have not been listed and detailed here but are available to the committee should they be required.

Conclusion

The Police met with the applicant to discuss ways in which the licensing objectives could be better promoted to ensure all four (4) are met, most importantly to ensure the safety of the public. The applicant was reluctant to discuss the details in full and did nothing to allay the police fears. The police contend that in its proposed form within the application and operating schedule the granting of this licence would seriously undermine the licensing objectives and pose a serious risk to the public. The applicants other premise in Enfield is a restaurant and has been conditioned so that this remains the case namely that alcohol will only be served with a substantial table meal. If the applicant is failing to operate in accordance with his licence there it is felt that this will be the case here, regardless of whether it is conditioned for this. This venue has had a violent past

Signature: G. Marsa Signature witnessed by:

RESTRICTED (when completed)

Continuation of Statement of

P.C. GARY MARSH

and without the full co-operation from the applicant with the Police and without suitable safety measures in place the possibility of further instances of crime and disorder are high. It is for all these reasons that the police objection remains.

Should the committee be minded to grant the licence the Police recommend the following to help promote the licensing objectives.

Activity	Applied for Times	Recommended Times
Opening hours	11:00 – 03:30 everyday	11:00 – 00:30 everyday
Supply of alcohol (on sale only)	11:00 – 03:00 everyday	11:00 – 00:00 everyday
Live Music		
Recorded music		
Performance of dance		
Late Night Refreshment	23:00 – 03:00 everyday	23:00 – 00:00 everyday

1. The premises shall install and maintain a comprehensive CCTV system.

- All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period.
- The CCTV system should be updated and maintained according to police recommendations.
- A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

2. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- All crimes reported to the venue
- all ejections of patrons
- any complaints received
- any incidents of disorder
- all seizures of drugs or offensive weapons
- any faults in the CCTV system
- any visit by a relevant authority or emergency service

3. There shall be no entry or re-entry of new patrons to the premises after 2300 hours everyday.

4. A sign shall be displayed at the entrance to the premises informing customers of the last time of entry to the premises.

Signature:

G. Marsh

Signature witnessed by:

RESTRICTED (when completed)

Page 4 of 4

Continuation of Statement of

PC GARY MARSH

5. **With the exception of gaming machines, 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.**
6. **All doors and windows shall be kept closed but not locked during opening times.**
7. **A minimum of six (6) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business, at least one of whom shall be a female.**
8. **All door supervisors shall be easily identifiable by wearing high visibility jackets or armbands.**
9. **At least 2 door supervisors shall remain directly outside the premises for 30 minutes after the premises has closed or until all customers have dispersed. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance.**
10. **The designated premises supervisor or a member of the management shall monthly, check their door supervisors' registration on the Security Industry Authority (SIA) website to ensure their licences are current. Written records of these checks shall be maintained, signed and dated by the person completing the checks. The records shall be kept for 12 months and made available to Police or the local authority upon reasonable request.**
11. **All door supervisors must enter their name, SIA badge number and the name of the company that they are employed by in a register along with the date and time they start and finish their shift. These records shall be made available to the Police and/or council officers upon request. All records shall be retained for a minimum of one year.**
12. **A suitable method e.g. clicker counters, for determining the number of persons on the premises at any one time shall be employed to ensure that the maximum permitted number is not exceeded.**
13. **There must be a written search and refusal of entry policy, which must be agreed by Police. All door supervisors must be fully trained in the policy and to sign a document to confirm that they have received this training.**
14. **Customers shall not have access to alcohol after the licensed hours. This shall be prevented by the use of shutters / locked fridges / or some other method providing it is locked away from patrons.**
15. **A list of all events that are not wedding receptions will be provided to police in advance of each event taking place. This is to allow police to risk assess the proposed acts and this will be by the way of form 696 Metropolitan Police Risk Assessment form which will be submitted to the Police no later than 7 days prior to the event. Police will have an absolute veto over intended acts/events should they believe that they will have an adverse impact on any of the licensing**

Signature:

G. Marshall

Signature witnessed by:

RESTRICTED (when completed)

Continuation of Statement of P.C. GARY MARSH

objectives and they will inform the management in writing as to their reasons. This definition relates to 'events' that require a Promotion / Event.

An event will be deemed to be: any occasion in a licensed premises, or other venue whether under a Temporary Event Notice or not, where there will be a live performer/s -meaning musicians, DJs, MCs or other artiste; that is promoted in some form by either the venue or an outside promoter; where entry is either free, by invitation, pay on the door or by ticket.

The Police have read and supports the Local Authority representation and conditions as submitted by Charlotte Palmer and for that reason have not been replicated above.

[Large handwritten signature/initials]

Signature: *G. Marsh* Signature witnessed by:

RESTRICTED (when complete)

MG11
Page 6 of 6

Witness contact details

Home address:

..... Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter:
(obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **PC 475YE 235380 Gary Marsh**..... Station: **Edmonton**.....

Time and place statement taken:

GM/1



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Uniting against crime

Civic Centre
Silver Street
Enfield
EN1 3XA

METROPOLITAN POLICE SERVICE

Licensing Team
Enfield Borough Police
462 Fore Street
Edmonton
Middlesex

Date 16.11.15

Office : 0208 345 3322
Mobile :
Facsimile :

Dear Sir or Madam

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This venue was previously a nightclub known as Club Zeros. The licensing sub committee was minded to take the gravest step available to them and revoke the premises licence following a double stabbing and serious disorder at the venue. The final review hearing was the venues third such review as there had been a shooting and a serious assault involving knives previously.

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Conclusion

It is the opinion of the Police that to approve this application would seriously undermine the licensing objectives.

It would appear that Royal Venue is being called a wedding venue when it is in actual fact going to be a nightclub. The applicant's current business at Tirana 2 is an example of this circumventing of the act and shows a disregard to licensing objectives.

The operating schedule does not satisfactorily demonstrate the promotion of the licensing objectives.

This is neglecting their responsibilities under the act to prevent crime and disorder and maintain public safety.

The Police currently lack confidence in Mr Xhauri's ability to run this venue responsibly. The venue itself has proved itself to be an attractor to gangs and people willing to commit serious crime and disorder. This venue has been run by many who have all failed to run this venue safely. The venue was also a considerable drain to police resources, one incident alone required forty seven (47) police officers to attend.

The guidance contained within section 182 of the Licensing Act 2003 is clear that the Police are the primary source of advice on crime and disorder. It is felt that to grant this licence will lead to a serious risk to public safety.

The Police have considered what other factors could minimise the risk to the public and at this moment in time there are no other factors that can be put in place without significant consultation and co-operation between Mr Xhauri and the Police.

Yours Sincerely

Gary Marsh
PC 475YE
Police Licensing Team
Edmonton Police Station
0208 345 3322

GM/2

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TERRITORIAL POLICING

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CRIMESTOPPERS****0800 555 111**

Uniting against crime

Royal Venue
1 Jute Lane
Enfield
EN3 7PJ**METROPOLITAN POLICE SERVICE**Licensing Team
Enfield Borough Police
462 Fore Street
Edmonton
Middlesex

Date 26.11.15

Office : 0208 345 3322

Mobile :

Facsimile :

Email: YE-Licensing@met.pnn.police.uk

Dear Mr Agron Xhauri

Thank you for coming into the Police Station on the 18th November 2015 to discuss your premise licence application for Royal Venue, 1 Jute Lane EN3 7PJ. At the meeting there was just you and myself present.

This is a brief summary of what was discussed for your records. If you feel this is not an accurate reflection please let me know.

I started the meeting explaining the Police stance and why there was an outright objection to the application. This being that the operating schedule and plans did not reflect what was previously suggested that this would be a wedding venue and that it failed to promote the licensing objectives satisfactorily.

I explained that the Police were compelled to object against the application for a nightclub due to the serious violence and disorder that this venue has suffered previously. Having read the operating schedule there is nothing that would suggest this is not a nightclub.

You stated that it was not a nightclub and asked whether it was because of the hours. You also stated that in the objection I had complained that public nuisance through car parking and movement of people late at night was not a valid reason to object because it had not been complained of whilst the venue was a nightclub.

I responded by explaining that the hours did give a big rise for concern and that they were more akin to a nightclub, in fact they were the same hours as the nightclub previously and were not something we would associate with a venue that hosts wedding receptions. I further explained that this was one of many concerns of the Police. I also drew your attention to the objection letter where I mentioned that noise nuisance was something brought up at the review hearing and a statement from a resident had been submitted as evidence. I also said that complaints about noise had been received by the council whilst operating as a nightclub.

I asked how the safety of those at the venue would be maintained such as refusing entry to people who are not on the guest list and how they would respond to an emergency inside the venue. The response from you was that you and your staff would ensure the safety and would be trained. I asked whether you or your staff were SIA trained, to which you said no. I asked whether door staff were a consideration given the large number of people that could attend, (we agreed the capacity was approximately 300 people) and the consumption of alcohol until 0300 hours could cause issues of serious crime and disorder. You said that this was not something you considered necessary. You asked how many I thought would be appropriate. I said that given the capacity and layout I would suggest a minimum of 6 this took into account the stairs and VIP area, however this was providing the plans and the layout were the same. This also took into consideration the protection of children from harm who would be at your venue and/or could attempt to enter your venue without adult supervision.

I asked why the ticket booths were shown on the plans as wedding venues are pre-booked. You stated that these were the old plans from the previous club re-used for the application and that the actual plans had changed. I reminded you

that the plans form part of the application as a whole and that a change should be brought to the attention of the licensing authority. This may require the application to be re-submitted but in any case they would need to be informed. You stated that the layout was the same but they were not ticket booths but that the work had not yet been completed at the site.

I asked about how you would prevent a public nuisance as we had already spoke briefly about people visiting your venue and the parking issues. You stated that most people would be coming to your venue in taxi's. I said that I could not accept this as we know from other wedding venues that people often drive to these events especially those people with children or the elderly or who have to come from some distance away. You actually agreed with this but did not actually answer how you would resolve the issue only that you didn't think it was a valid argument. I did bring to your attention that it was a big concern for residents who did not always feel confident to make a complaint formally.

A big concern for the Police and something that has caused serious crime and disorder all over London are venues similar to this with very late licences that are hired by promoters under false pretences and run as a nightclub without any security arrangements and catching the venue owner by surprise. I asked if there were any safe guards you would put in to prevent this such as not taking bookings for promoted events and guest lists only events. You stated that you would make checks on the people booking your venue. You stated that you had agreed to the councils condition namely that alcohol would only be served with a table meal but I responded that at your other venue with the same condition I had witnessed this being breached. I explained that without safeguards this posed a huge risk to public safety.

You asked whether a terminal hour of 0230 and licensable activity to cease at 0200 hours would be acceptable to the police. I stated that this would not as it would still undermine the licensing objectives as this was still very late and there was no safety precautions offered or agreed by yourself. I said that 0030 terminal hour and 0000 for licensable activity would be more reflective of a wedding venue and would help to promote the licensing objectives. With less time to drink alcohol there was a reduced risk of violence and the nuisance would be dramatically reduced.

Conclusion

The meeting was called to a close and we could not agree on any issue or concern. I remain available to discuss this application with you from now until the hearing and can be contacted below or through email.

Yours Sincerely

Gary Marsh
PC 475YE
Police Licensing Team
Edmonton Police Station
0208 345 3322



LICENSING AUTHORITY REPRESENTATION

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

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

Name and address of premises: Royal Venue
 1 Jute Lane
 Enfield
 EN3 7PJ

Type of Application: New Premises Licence

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

Background History:

This is a new application to provide the following activities;

Activity	Proposed Times
Opening hours	11:00 – 03:30 everyday
Supply of alcohol (on sale only)	11:00 – 03:00 everyday
Live Music	
Recorded music	
Performance of dance	
Late Night Refreshment	23:00 – 03:00 everyday

The applicant has previously advised Officers that they want to run the premises as a banqueting suite.

This premises has been licensed in the past under different ownership. The previous licences have been reviewed by the police on more than one occasion. The licence was reviewed in 2010 following a number of assaults including a shooting. The conditions were strengthened as a result. The licence was reviewed by the police in 2014 following a closure notice being issued due to a large fight at the premises. The conditions were again modified and the licence holder agreed to transfer the licence and vary the DPS. That licence then was surrendered in 2014. A new licence was granted but that was also reviewed by the police in 2015 following 2 stabbings. That licence was revoked.

The fact that the premises has already been reviewed three times (under separate ownership) on grounds of the prevention of crime and disorder is a great concern. The number of times that the premises has changed hands and its name also raises questions as to why the owners never stay for long.

This premises has repeatedly been the source of serious crime and disorder no matter who holds the licence.

Prevention of Nuisance:

This premises is located very close to Brimsdown Train Station. This is a mixed commercial and residential area with residential premises on Brimsdown Avenue and Green Street. Complaints have previously been made by local residents in relation to loud music, parking issues and noise anti-social behaviour from customers leaving the premises during the early hours of the morning.

Cumulative Impact Policy

This premises is not within any of Enfield's Cumulative Impact Policy areas.

Planning Information

This premises has planning permission to be used as a nightclub. The planning permission is subject to a number of conditions. If the premises were to be used as a banqueting suite in future planning permission for change of use would be required before any banqueting events could legally take place. There are conditions attached to the current planning permission that the applicant needs to be aware of. A copy of the current planning permission is attached as Appendix 1.

Insufficient planning permission cannot prevent a licence from being granted, however, if businesses trade without planning permission they will be guilty of an offence under planning law and may be prosecuted by the Planning Enforcement Team. **Therefore businesses must have the relevant planning permission AND licence in order to trade legally.** If the times and activities on both are not the same, businesses must stick to the lesser times / activities as failure to do so will be a breach of either planning or licensing legislation.

Conclusion:

I wish to make representation on the following licensing objective:

- **Prevention of Crime and Disorder**
- **Prevention of Nuisance**

Given the history of this premises, I do not think that this is a suitable location for a late night venue now or in the future, many people have tried and all have failed. I therefore recommend that the times be reduced as shown below.

Activity	Applied for Times	Recommended Times
Opening hours	11:00 – 03:30 everyday	11:00 – 00:30 everyday
Supply of alcohol (on sale only) Live Music Recorded music Performance of dance	11:00 – 03:00 everyday	11:00 – 00:00 everyday
Late Night Refreshment	23:00 – 03:00 everyday	23:00 – 00:00 everyday

I have taken into consideration the conditions offered in the operating schedule of this application. If the licence is granted in full or part I recommend that the following conditions be attached to the licence in order to fully promote the licensing objectives:

- All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
- All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
- A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
- A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
- Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
- The management shall make subjective assessments of noise levels at the perimeter of the premises. These shall be undertaken at approximately hourly intervals, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents. Records 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, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.
- Door staff shall ensure that customers and their vehicles do not block surrounding roads at any time.
- A dispersal policy shall be prepared and agreed with the Head of Business Regulation at the Council, within 14 days of the grant of the licence. The policy shall be applied at all times.
- No alcoholic drinks or glass containers shall be taken outside at any time.
- All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles outside between 21:00 and 07:00.
- A personal licence holder is to be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol.
- The telephone number of an allocated taxi firm shall be displayed at the premises. An agreement shall be made with the taxi firm for a suitable customer collection point so as to cause minimum disturbance to passing traffic and local residents.
- Children under the age of 18 shall not be admitted to the premises unless they are accompanied by an adult.

- The premises shall be used solely for pre-booked events. Customers shall not be able to pay for entry on the door.
- The sale of alcohol shall only take place when ancillary to the use of the premises for substantial buffet or sit down meals.

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

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

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk

Signed:



Date: 10/11/2015

ENFIELD
Council

www.enfield.gov.uk

Environment and Street Scene



Mr Sddie Munthali,
Kaseka Associates
74, MEDCALF ROAD
ENFIELD
EN3 6HL

Please reply to : Mr D.J. Snell
Tel : 020 8379 3838
Fax : 020 8379 3811
My ref : TP/09/1198
Your ref :
Date : 30th April 2010

Dear Sir/Madam,

Town & Country Planning Act 1990

1, JUTE LANE, ENFIELD, EN3 7PJ

Change of use from snooker club (D2) to a night club / banqueting suite (Sui Generis).

I enclose herewith my Council's decision notice in respect of the above.

The decision to grant planning permission has been taken for the following reasons:

1. Having regard to the existing longstanding use of the premises the proposed use of the premises as a nightclub would not result in the introduction of an activity into the Primary Industrial Area, that would be detrimental to the function, character and economic activity of the area. This would be contrary to Policies (I) GD1, (I)GD2 and (II) E2 of the Unitary Development Plan.
2. The proposed development due to the provision of parking within the adjacent site, the subject of a linked application would not prejudice the provision of on-street parking nor would it give rise to conditions prejudicial to the free flow and safety of traffic on the adjoining highways having regard to Policies (II)GD6 and (II)GD8 of the Unitary Development Plan, Policy 3C.23 of the London Plan and PPG 13 - Transport.

Yours faithfully,

Mr D.J. Snell

Ian Davis
Director of
Environment and Street Scene
London Borough of Enfield
www.enfield.gov.uk

PO Box 53, Civic Centre, Silver Street
Enfield, Middlesex. EN1 3XE
Tel: 020 8379 1000
Fax: 020 8379 3811
DX: 90615 ENFIELD



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London Borough of Enfield

TOWN AND COUNTRY PLANNING ACT 1990

Mr Saddle Munthali,
Kaseka Associates
74, MEDCALF ROAD
ENFIELD
EN3 6HL

Whereas in accordance with the provisions of the Town and Country Planning Act, 1990 and the Orders made thereunder you have made application on 20th August 2009 and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:-

LOCATION: 1, JUTE LANE, ENFIELD, EN3 7PJ

PROPOSAL: Change of use from snooker club (D2) to a night club / banqueting suite (Sui Generis).

Now therefore **THE COUNCIL OF THE LONDON BOROUGH OF ENFIELD**, the Local Planning Authority, **HEREBY GIVE YOU NOTICE** pursuant to the said Act and the Orders made thereunder that permission to develop the said land in accordance with the said application is **HEREBY GRANTED**, subject to the following **CONDITION(S)**:-

1. The use hereby approved shall not be commence or operate until the car parking area proposed in a linked application is made available for visitor parking in accordance with Drawing No. KA/JL. The car park shall thereafter continue to be maintained for this purpose during operating hours of the premises unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development complies with Unitary Development Plan Policies and does not prejudice parking conditions and the safety of traffic flow on adjoining highways.

2. Prior to the use hereby approved commencing a scheme detailing provisions to be made for the control of noise emanating from the building shall be submitted to and approved by the local planning authority. The scheme shall include a structural sound test to determine the likely breakout of noise and details of any structural measures to mitigate against noise emanating from the building. The approved details shall be implemented prior to the commencement of the use and shall thereafter be maintained.

Reason: To prevent noise pollution having regard to Unitary Development Plan Policy (II)EN30 and Planning Policy Statement 25.



London Borough of Enfield

3. Prior to installation or operation details of any air conditioning or mechanical air conditioning and ventilation plant shall be including a noise assessment report shall be submitted to and approved by the local planning authority. The plant shall thereafter be installed or maintained in accordance with the approved detail.

Reason: To prevent noise pollution having regard to Unitary Development Plan Policy (II)EN30 and Planning Policy Statement 25.

4. Prior to the use hereby approved commencing details of refuse storage to include the provision of secure lidded containers and a commercial contract for the collection of waste shall be submitted to and approved by the local planning authority. The approved detail shall be implemented prior to the use commences and shall thereafter maintained.

Reason: In the interests of safeguarding the satisfactory disposal of waste.

5. Prior to the use hereby approved commencing a scheme of lighting for the area of the site outside the public entrance shall be submitted to and approved by the local planning authority. The scheme shall be implemented before the use commences and shall thereafter be maintained.

Reason: In the interests of highway and pedestrian safety.

6. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

Signed *Alan Richards*

Dated: 26th April 2010

Drawing Nos.:

Design and Access Statement
Flood Risk Assessment
Site Location Plan
Sound Insulation Test Report

This decision is subject to a LEGAL AGREEMENT dated 26th April 2010

P.O. Box 53, Civic Centre,
Enfield, Middlesex, EN1 3XE

London Borough of Enfield

Notes

- (i) Your attention is particularly drawn to the Schedule attached to this notice which sets out the rights of applicants who are aggrieved by decisions of the Local Planning Authority.
- (i) This decision does not purport to convey any approval or consent which may be required under any bye-laws or under any enactment other than the Town and Country Planning Act 1990.
- (ii) This decision does not convey any approval or consent under the **Building Regulations** which may be required before starting the development hereby granted permission. Advice on whether an application under the Building Regulations is required is available from the Council's Building Control Service on 020 8379 3624 / 3628.
- (iii) In accordance with the Town and Country (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008, any conditions attached to this permission that require discharge by the Local Planning Authority will be **subject to a fee**. A schedule of fees charged is available on the Council's website at [http://www.enfield.gov.uk/608/Planning Application Fees.pdf](http://www.enfield.gov.uk/608/Planning%20Application%20Fees.pdf)

London Borough of Enfield

SCHEDULE

Rights of Applicants Aggrieved by Decision of Local Planning Authority

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the environment in accordance with Section 78(1) of the Town and Country Planning Act, 1990, within six months from the date of this notice. (Appeals must be made on a form which is obtainable from the The Planning Inspectorate, 3/02 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online, using the Appeals area of the Planning Portal (www.planningportal.gov.uk/pcs). Your appeal may be published on the Council and the Planning Inspectorate websites. Please only provide information, including personal information belonging to you that you are happy to be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. Planning Inspectorate's leaflets "A New and Simple Way of Making an Appeal" and "Your Guide to Appeals Online" are available at the Council's Environment Direct Office (Tel 020 8379 3505) or the Planning Portal.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order, and to any directions given under the order.
1. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the County Borough, London Borough or County District in which the land is situated, as the case may be, a purchaser notice requiring that Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act, 1990.
2. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Royal Venue Proposed Conditions

Annex 1 - Mandatory Conditions

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

Annex 2 - Conditions consistent with the Operating Schedule

1. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
2. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (1) All crimes reported to the venue
 - (2) All ejections of patrons
 - (3) Any complaints received
 - (4) Any incidents of disorder
 - (5) All seizures of drugs or offensive weapons
 - (6) Any faults in the CCTV system
 - (7) Any visit by a relevant authority or emergency service

CONDITIONS PROPOSED BY LICENSING AUTHORITY AND AGREED BY APPLICANT:

3. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
4. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
5. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
6. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
7. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and

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

8. The management shall make subjective assessments of noise levels at the perimeter of the premises. These shall be undertaken at approximately hourly intervals, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents. Records 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, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.
9. Door staff shall ensure that customers and their vehicles do not block surrounding roads at any time.
10. A dispersal policy shall be prepared and agreed with the Head of Business Regulation at the Council, within 14 days of the grant of the licence. The policy shall be applied at all times.
11. No alcoholic drinks or glass containers shall be taken outside at any time.
12. All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles outside between 21:00 and 07:00.
13. A personal licence holder is to be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol.
14. The telephone number of an allocated taxi firm shall be displayed at the premises. An agreement shall be made with the taxi firm for a suitable customer collection point so as to cause minimum disturbance to passing traffic and local residents.
15. Children under the age of 18 shall not be admitted to the premises unless they are accompanied by an adult.
16. The premises shall be used solely for pre-booked events. Customers shall not be able to pay for entry on the door.
17. The sale of alcohol shall only take place when ancillary to the use of the premises for substantial buffet or sit down meals.

CONDITIONS PROPOSED BY METROPOLITAN POLICE AND NOT AGREED BY APPLICANT:

18. The premises shall install and maintain a comprehensive CCTV system.
 - (1) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

- (2) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (3) Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
 - (4) The CCTV system should be updated and maintained according to police recommendations.
 - (5) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
19. There shall be no entry or re-entry of new patrons to the premises after 2300 hours every day.
 20. A sign shall be displayed at the entrance to the premises informing customers of the last time of entry to the premises.
 21. With the exception of gaming machines, 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.
 22. All doors and windows shall be kept closed but not locked during opening times.
 23. A minimum of six (6) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business, at least one of whom shall be a female.
 24. All door supervisors shall be easily identifiable by wearing high visibility jackets or armbands.
 25. At least 2 door supervisors shall remain directly outside the premises for 30 minutes after the premises has closed or until all customers have dispersed. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance.
 26. The designated premises supervisor or a member of the management shall monthly, check their door supervisors' registration on the Security Industry Authority (SIA) website to ensure their licences are current. Written records of these checks shall be maintained, signed and dated by the person completing the checks. The records shall be kept for 12 months and made available to Police or the local authority upon reasonable request.
 27. All door supervisors must enter their name, SIA badge number and the name of the company that they are employed by in a register along with the date and time they start and finish their shift. These records shall be

made available to the Police and/or council officers upon request. All records shall be retained for a minimum of one year.

28. A suitable method e.g. clicker counters, for determining the number of persons on the premises at any one time shall be employed to ensure that the maximum permitted number is not exceeded.
29. There must be a written search and refusal of entry policy, which must be agreed by Police. All door supervisors must be fully trained in the policy and to sign a document to confirm that they have received this training.
30. Customers shall not have access to alcohol after the licensed hours. This shall be prevented by the use of shutters /locked fridges /or some other method providing it is locked away from patrons.
31. A list of all events that are not wedding receptions will be provided to police in advance of each event taking place. This is to allow police to risk assess the proposed acts and this will be by the way of form 696 Metropolitan Police Risk Assessment form which will be submitted to the Police no later than 7 days prior to the event. Police will have an absolute veto over intended acts/events should they believe that they will have an adverse impact on any of the licensing objectives and they will inform the management in writing as to their reasons. This definition relates to 'events' that require a Promotion / Event.
32. An event will be deemed to be: any occasion in a licensed premises, or other venue whether under a Temporary Event Notice or not, where there will be a live performer/s -meaning musicians, DJs, MCs or other artiste; that is promoted in some form by either the venue or an outside promoter; where entry is either free, by invitation, pay on the door or by ticket.

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

LICENSING SUB-COMMITTEE - 25.11.2015

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 25 NOVEMBER 2015**

COUNCILLORS

PRESENT (Chair) Chris Bond, Derek Levy and Dogan Delman

ABSENT

OFFICERS: Ellie Green (Principal Licensing Officer), PC Martyn Fisher (Metropolitan Police Licensing Officer), Catriona McFarlane (Legal Services Representative), Jane Creer (Democratic Services)

Also Attending: Ms Caroline Daly, Barrister, Francis Taylor Building (on behalf of Metropolitan Police Service)
Mr Ali Besir Yuce, Premises Licence Holder / Designated Premises Supervisor, Enfield Snooker Club
Ms Linda Somerville (PhD student) - observing
Councillor Jim Steven - observing

257**WELCOME AND APOLOGIES FOR ABSENCE**

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

258**DECLARATION OF INTERESTS**

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

259**ENFIELD SNOOKER CLUB, 1A MARKET CHAMBERS, CHURCH STREET, ENFIELD, EN2 6AA (REPORT NO. 125)**

RECEIVED the application made by the Metropolitan Police Service for a review of the Premises Licence held by Mr Ali Besir Yuce at the premises known as and situated at Enfield Snooker Club, 1A Market Chambers, Church Street, Enfield, EN2 6AA.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including the following points:
 - a. The review application was brought by the Metropolitan Police Service, based on the prevention of crime and disorder and on public safety.

LICENSING SUB-COMMITTEE - 25.11.2015

- b. In October 2015 two serious assaults took place at the premises.
 - c. On 29 October 2015 the Licensing Sub-Committee considered that it was necessary to take interim steps by attaching additional conditions to the licence with immediate effect. The decision notice was set out on page 139 of the agenda pack.
 - d. The Police considered that it was still appropriate to suspend the licence until all conditions were complied with; to remove the Designated Premises Supervisor (DPS); and to modify conditions and hours.
 - e. Mr Ali Besir Yuce, the premises licence holder and DPS, was present at this hearing, representing himself. He had not provided any written representations.
 - f. The Metropolitan Police Service was represented by Ms Caroline Daly from Francis Taylor Building.
2. The statement of Ms Caroline Daly, on behalf of the Police, including the following points:
- a. At the time the application was brought and now, the Police had serious concerns relating to the promotion of public safety and the prevention of crime and disorder.
 - b. Historically, this premises had been a private members' club with a clear membership policy. This was not now the case. The premises had become in essence a night club, with customers arriving after other drinking establishments had closed.
 - c. Incidents occurred on 4 October 2015 and 24 October 2015: less than three weeks apart. Both were serious assaults leading to hospital treatment of victims, one requiring referral to a maxillo-facial unit so serious was the injury. Both incidents happened in the early hours of the morning. On only one occasion were the Police informed. On neither occasion was Mr Yuce present on the premises.
 - d. The licence conditions and the current management practices were not sufficient. If the premises were allowed to re-open they would present a serious risk to public safety. The premises were centrally located in Enfield Town and it would be undesirable for local residents for the business to re-open currently.
 - e. The Police were not requesting revocation of the licence. It was considered that the concerns in respect of management and operation of the premises could be adequately addressed by conditions and by the removal of Mr Yuce as DPS.
 - f. The conditions proposed by the Police were set out on page 148/9 of the agenda pack. These proposed conditions were almost the same as considered at the interim steps stage, with the addition of Conditions 12 and 13. The removal of Condition 9 in the current licence was also requested.
- * The Principal Licensing Officer, with apologies, advised that proposed Condition 13 on page 148 should read "Children aged 14 to 18 shall only be permitted to enter and remain on the premises until 22:00."

LICENSING SUB-COMMITTEE - 25.11.2015

- g. PC Martyn Fisher, Police Licensing Officer, had provided two witness statements and would provide further information in response to questions and would be able to show relevant CCTV footage.
 - h. The panel watched CCTV footage from 4 October 2015 timed just after 03:30 from inside the venue and from a camera at the door to the Market Square, and from 24 October 2015 from a camera covering the fire escape / smoking area in the premises.
 - i. PC Fisher advised that the Police came to know of the first incident when a member of staff called them having witnessed the assault in the Market Square but having been too afraid to get involved. The Police Licensing Team had not been immediately aware that the first incident had related to Enfield Snooker Club. On the occasion of the second incident, the Police were not called except by the victim's friend. On 26 October 2015 a meeting was held to view footage of both incidents with the DPS and to carry out an inspection of the licence.
3. The Police representatives responded to questions as follows:
- a. In response to the Chair's request for further details on why the Police licensing team did not pick up on the first incident at the premises, PC Fisher advised that when the phone call was made the assault was reported as in the Market Square not the snooker club and no association was therefore recorded in the crime report. One week later when Police were trying to get hold of the club owner to obtain CCTV footage it came out that the incident occurred in the snooker club. The club itself did not tell Police about the incident, but it was a member of staff who reported a fight in the Market Square, but did not make it known that it was related to the club.
 - b. In response to Councillor Levy's question about the request for 00:00 as the terminal hour, it was clarified that at present the snooker club had no last entry time. When other licensed premises in the area closed, customers could come straight into this club as there was no restriction on membership. Bar Form and Club Azure were the latest closing premises in Enfield Town. A trade had developed and customers were being attracted for late night vertical drinking and dancing, and the premises had turned into a late night club.
 - c. It was confirmed that no further incidents of crime and disorder had been reported in the Market Square since 24 October 2015, and noted that the business had not been trading since the interim steps hearing.
 - d. Councillor Levy asked if there had been conversations with Mr Yuce regarding a change of DPS. PC Fisher advised that at their meeting on 26 October, Mr Yuce had openly admitted having difficulties at home in respect of operating the club and that he was not there at the busiest periods. The Police considered that the venue was not efficiently managed or staff sufficiently trained, and that Mr Yuce was not doing the job he should be as DPS. It was confirmed that no voluntary application to vary the DPS had been received, and that no indication had been provided of any potential replacement as DPS.

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- e. Councillor Delman asked for clarification of the address of the venue as it was not consistent throughout the documents. PC Fisher advised that it could be variously found as 1A Market Chambers and 4A Market Chambers, but referred to this single venue of Enfield Snooker Club.
4. The statement of Mr Ali Besir Yuce, DPS and premises licence holder, Enfield Snooker Club, including the following points:
- a. He had run the premises since 2001 (with three years away) with no serious problems as far as he was aware.
 - b. Up until June 2015 there had been no problems; until PC Fisher had said that the venue was not a members only club any more.
 - c. Entry had previously been restricted to members and guests. When the club was told this was not the case any more, they could let anyone in.
 - d. Since that point there had been three incidents.
 - e. He wanted to go back to being a members only club, and that would be his advice to put the situation right.
5. Mr Yuce responded to questions as follows:
- a. The Chair asked about a third incident referred to. Mr Yuce advised that an incident had happened against himself when he opened the door to explain that the club was closed in response to someone repeatedly pressing the buzzer who then headbutted him. PC Fisher confirmed that this incident was included in his statement on page 23 of the agenda pack.
 - b. Councillor Delman asked Mr Yuce's views on the Police request to replace him as DPS. Mr Yuce advised that he had been in the role since 2001 and was a good DPS. There had been no incidents at the club previously. For the past month he had had problems at home and had to spend some time with his wife.
 - c. In response to the Chair's suggestion that it would not be inappropriate to take time away if staff were trained to run the business properly, and that was part of the responsibility of a DPS, Mr Yuce confirmed that he understood. In response to Members' further queries regarding steps taken to ensure the premises were operated correctly in his absence, Mr Yuce advised that staff had been trained and those people had been coming to the club for many years and helping him out.
 - d. Councillor Levy noted that the training records did not reflect Mr Yuce's assertion and asked about staff responsibilities for security. Mr Yuce advised that there were two buzzer doors to control entry.
 - e. Councillor Levy asked why smokers were visible inside the venue on the CCTV footage. Mr Yuce responded it was because they were on the second floor. In response to Councillor Levy's further queries that this was a breach of conditions and a responsibility of the DPS, Mr Yuce advised that if he saw it happening he told people off, but it had been going on only for the past month.
 - f. Councillor Bond remarked that staff should know what was legal, and queried that customers were also recorded on CCTV dancing in the venue beyond the permitted opening hours at 03:38. Mr Yuce advised that was

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- the usual time that people were kicked out of the premises. The camera had recorded the time and he could not tell the panel any more about it.
- g. Councillor Delman asked about how crime and disorder related to the premises was proposed to be dealt with in the future. Mr Yuce stated that if he had been present at the venue himself there would not have been any trouble. He had been running the business for 12 years and there had been no trouble. If he was given permission to keep running the business he would be there in person. He confirmed it would be run as a members only club. He would provide CCTV cameras as required.
- h. In response to Councillor Delman's further queries regarding strengthened conditions and whether they could be complied with, Mr Yuce advised that he did not object in principle to the proposed Condition 11 in respect of CCTV, and he had ordered the equipment, but felt there was no point paying for it.
- i. Councillor Levy asked about any objection to proposed Condition 19 and introduction of a Club ID scan or suitable equivalent. Mr Yuce stated that he would not agree to installing a scanning system, but he would have a system for identification of customers before they were allowed to enter and that two types of identification would have to be provided. No-one would be able to apply for membership after 23:00. Anyone wishing to enter the club would have to press the buzzer and would be asked for their membership number. He would then check their details and if all was in order they would be allowed entry.
- j. In response to Councillor Levy's further questioning that the entry system would rely entirely on his personal operation, Mr Yuce advised that the operation was only Thursday, Friday and Saturday nights.
- k. In response to Councillor Levy's comment that Police had recommended the removal of the DPS and question whether there was a potential alternative DPS, Mr Yuce stated that the club could not afford to employ a DPS. He had already lost 50% of his customers. Imposition of the proposed conditions would be enough to close the business down.
- l. In response to further queries by the Chair regarding whether Mr Yuce objected only to the recommendation of removal of the DPS and whether he accepted the other proposed conditions, Mr Yuce advised that he objected to nearly all the proposed conditions. He stated that if he had no entry after 23:00 the business would be finished, likewise if he had to employ two door supervisors that would be enough to close the business.
- m. PC Fisher asked about how the business could be effectively managed to promote public safety. Mr Yuce stated that he had done well up until June 2015: the club had been members only and there had been no trouble. He had not asked the Licensing Authority to make it not members only.
- n. PC Fisher commented that a membership policy could have effectively been kept going whether it was on the licence or not, and queried if without it there was no way of managing the venue. Mr Yuce advised that he had two doors with buzzers. PC Fisher noted that effective management from the bar area of this door system would be difficult and there was nothing to prevent customers opening the door and letting people in.

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- o. In response to further queries, Mr Yuce confirmed though he objected to installing a Club ID Scan he would not object to an effective membership scheme. He wanted the club to be for members only. He would be happy to devise his own system; and had been doing this previously with a requirement for photographic identification which was photocopied and attached to a membership form. If he had the power to control who came in he would be able to exclude trouble-makers.
- p. Councillor Levy highlighted the requested reduction in licensing hours and whether the proposed closing time of 00:30 was felt to be agreeable. Mr Yuce advised that a last entry time of 01:00 would be acceptable, but wished to keep operational hours to 03:00. His regular customers played snooker until 03:00 and if hours were reduced he would lose customers.
6. The closing statement of Ellie Green, Principal Licensing Officer, that having heard all of the representations, the sub-committee must take steps as it considered appropriate for the promotion of the licensing objectives; and to assist, the relevant guidance issued by the Secretary of State and the Council's licensing policy were highlighted.
7. The closing statement of Ms Caroline Daly, on behalf of the Police, including the following points:
- a. Mr Yuce had said that up until June 2015 there had been no problems at the premises, but this was not the case. PC Fisher's first witness statement on page 23 of the agenda pack listed a number of incidents. In December 2014 Mr Yuce had been assaulted at the venue, and there had been other concerns at other points in time, including 18 May 2014.
 - b. The meeting had heard some very confusing evidence from Mr Yuce, regarding the business's membership policy and how it was operated.
 - c. Mr Yuce considered himself the only person able to operate the business, yet he was not present on a number of occasions including when the two incidents occurred, and there may have been many others. This made him unsuitable to continue as DPS.
 - d. The serious nature of the two incidents, in such quick succession, was gravely concerning. On 24 October 2015 there was a glassing inside the premises and Police were not called. This was unacceptable. It was likely that such incidents would happen again. The venue was not supposed to be a night club. The business was not designed to Hoover up revellers from other licensed premises.
 - e. The sub-committee was asked to implement all the conditions which the Police suggested.
8. The closing statement of Mr Ali Besir Yuce, DPS and premises licence holder, including the following points:
- a. If he had to implement any of the suggested conditions he would have to close the business as it would no longer be viable.
 - b. He had been unable to afford to pay for any legal representation for himself for this hearing.
 - c. The club could not afford to employ another DPS.

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- d. If the sub-committee decided to revoke the licence, that would be better for him than imposing the suggested conditions.
- e. At the moment he was paying rent for the club without having an operating business and he was not going to be able to continue.

RESOLVED that

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

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

2. The Chairman made the following statement:

“Having listened to the evidence presented, the Licensing Sub-Committee after some discussion resolved to implement all conditions varied as outlined in Report No. 125 to promote public safety and to stop further public disorder.

The Licensing Sub-Committee believes that the Metropolitan Police Service made its case in full and was satisfied that the proposed variations to the licence were necessary, and proportionate.

Under questioning, Mr Yuce conveyed the impression that the premises and the licence could only be operated effectively under his management.

The Licensing Sub-Committee was not convinced by his answers, aggravating factors being that he wasn't present at the time of the two serious incidents that brought about the review.

We were not convinced that he can operate the licence currently and his resistance to the proposed changes we are now making enhances this view.”

3. The Licensing Sub-Committee resolved that it considers the steps listed below to be appropriate for the promotion of the licensing objectives:
 - to remove the designated premises supervisor;
 - to reduce terminal hours of all licensable activity to 00:00;
 - to modify the conditions of the licence including the Metropolitan Police proposed conditions as set out in Annex 06;
 - to suspend the licence until all conditions have been complied with.

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MINUTES OF PREVIOUS MEETING

RECEIVED the minutes of the meeting held on Wednesday 21 October 2015.

AGREED that the minutes of the meeting held on 21 October 2015 be confirmed and signed as a correct record.