

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON WEDNESDAY, 22 JUNE 2016**

**COUNCILLORS**

**PRESENT** (Chair) Derek Levy, George Savva MBE and Jim Steven

**ABSENT**

**OFFICERS:** Ellie Green (Principal Licensing Officer), Charlotte Palmer (Licensing Enforcement Officer), Karen Staff (Metropolitan Police Licensing Officer), Dina Boodhun (Legal Services Representative), Jane Creer (Democratic Services)

**Also Attending:** Mr Haroon Zafar, Chief Compliance Officer, and 1 further representative on behalf of Dominos Pizza  
Mr Matt Lewin, Cornerstone Barristers, on behalf of the Metropolitan Police Service  
Ms Alisha Patterson, Designated Premises Supervisor, and 2 further representatives on behalf of Silver Hawk Caribbean Jerk Cuisine  
Mr Robert Sutherland, Solicitor, Mr Hacı Siringul, Designated Premises Supervisor, and 1 further representative on behalf of Euro Express

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**WELCOME AND APOLOGIES FOR ABSENCE**

Councillor Levy as Chair welcomed all those present and explained the order of the meeting.

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**DECLARATION OF INTERESTS**

There were no declarations of interest in respect of items on the agenda.

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**ORDER OF THE AGENDA**

**AGREED** that the order of the agenda be varied to accommodate parties present at the hearing. The minutes follow the order of the meeting.

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**DOMINOS PIZZA, 43 GREEN LANES, LONDON, N13 4TN (REPORT NO. 23)**

RECEIVED the application made by A&A Pizza Company Ltd for the premises situated at Domino's Pizza, 43 Green Lanes, London, N13 4TN for a new Premises Licence.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
  - a. The application was for a new premises licence, submitted by A&A Pizza Company Ltd trading as Domino's Pizza.
  - b. The application sought operating hours and late night refreshment (both indoor and outdoor) until 00:00 Sunday to Thursday and until 01:00 Friday and Saturday.
  - c. The premises already had a licence for late night refreshment (indoors only) until 00:30 every day and opening hours 24 hours daily. The premises had been a Greek restaurant, To Spitiki, and had a licence since 2005.
  - d. In response to the application, the Police and Licensing Authority had proposed further conditions, which the applicant had agreed to and those representations were therefore withdrawn.
  - e. One local resident had made an objection, as set out on page 69 of the agenda pack, based on the prevention of public nuisance. In response, the applicant was willing to meet the resident and to take further steps to address the concerns, as set out on page 70 and their supplementary information. The resident however had not responded to any emails in respect of the hearing or the further measures proposed, and was not present at this hearing.
2. The statement of Mr Haroon Zafar, Chief Compliance Officer, on behalf of Domino's Pizza, including:
  - a. This was a new franchise, which was one of ten Domino's Pizza sites across North London, most of which were open up to 01:00 at weekends.
  - b. There was a business demand.
  - c. This operation opened in Green Lanes three weeks ago and was trading to 23:00, using the existing premises licence, but would like later hours including to 01:00 at weekends.
  - d. He confirmed there would be no alcohol sales and no live music: this business would be simply pizza delivery and takeaway.
  - e. The business took its responsibilities seriously, and the way it would trade in the area would be with regard to local residents.

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3. Mr Zafar responded to the Chair's query regarding proportion of delivery to shop ordered pizzas: it was confirmed that business was 70% home delivery and 30% shop orders.
4. The summary statement of Ellie Green, Principal Licensing Officer, including:
  - a. Having received the representations from all parties, it was for the Licensing Sub-Committee to take such steps as it considered appropriate for the promotion of the licensing objectives.
  - b. To assist that decision, she drew Members' attention to Home Office Guidance 10.13 and 13.18.

**RESOLVED that**

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

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

2. The Chairman made the following statement:

"The Licensing Sub-Committee is fully satisfied that the applicant has demonstrated competence and desire to promote the licensing objectives, taking all reasonable steps so to do.

We acknowledge the objection raised by the local resident, noting the representation made specific reference to an alternative premises already operating in the area.

Should the worst fears of the objector be realised, the opportunity to review this licence remains open to all potentially relevant parties."

3. The Licensing Sub-Committee resolved that the application be granted in full as follows:
  - (i) Hours the premises are open to the public: 11:00 to 00:00 Sunday to Thursday; 11:00 to 01:00 Friday and Saturday.
  - (ii) Late night refreshment (both indoor and outdoor): 23:00 to 00:00 Sunday to Thursday; 23:00 to 01:00 Friday and Saturday.

Conditions (in accordance with Annex 05):  
Conditions 1 to 14, which are not disputed.

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**SILVER HAWK CARIBBEAN JERK CUISINE, 68 HIGH STREET, ENFIELD,  
EN3 4ER (REPORT NO. 22)**

RECEIVED the application made by the Metropolitan Police Service for a review of the Premises Licence held by Berf Catering Ltd at the premises known as and situated at Silver Hawk Caribbean Jerk Cuisine, 68 High Street, Enfield, EN3 4ER.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
  - a. This was a review application brought by the Metropolitan Police Service.
  - b. The premises licence had been in place since October 2015, with Ms Alisha Patterson as the premises licence holder (PLH) and designated premises supervisor (DPS).
  - c. The licence currently permitted supply of alcohol (on supplies only) 12:00 to 23:45 daily and opening hours 11:30 to 00:00 daily.
  - d. On 10/05/16 this application was made to seek revocation of the licence based on all four of the licensing objectives; the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm, following breaches of the times and conditions of the licence. Further details were included from page 14 of the agenda pack.
  - e. The review application was supported by the Local Authority, as set out in Annex 05 of the report.
  - f. Ms Patterson had provided a witness statement, as set out in Annex 07 of the report.
2. The statement of Mr Matt Lewin, Cornerstone Barristers, on behalf of the Metropolitan Police Service, including:
  - a. The review application was brought on the grounds of all four licensing objectives, as all four were being undermined by the way this business was being operated.
  - b. There had been four visits to the premises by Police, and breaches of the Licensing Act had been observed, and numerous breaches of individual conditions of the licence.
  - c. This premises was licensed as a restaurant but in reality it had been trading as a bar or even as a night club. DJs, MCs and later hours were typical, and the operators appeared to have been charging for entry.
  - d. Police had completely lost confidence in the ability of the management to take responsibility for the premises.
  - e. There had been no reported incidents of crime and disorder linked to the premises, but the licensing objectives required more than just that.

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f. Evidence was highlighted in chronological order. In May 2015 it had come to the attention of the Licensing Authority that this premises was operating without a licence when a licence was required. An application was eventually submitted in October and a licence granted with a terminal hour of 00:00 every night and alcohol allowed to be served up to 23:45. Conditions 19 and 20 made it clear that this was a restaurant and nothing else, and that consumption of alcohol was tied to taking a table meal here. Condition 9 set out the requirements of the CCTV system, and that staff members should be competent in operating the footage at the request of Police or officers.

g. A witness statement had been provided by PC Karen Staff, including details of complaints about noise nuisance and loud music disturbing neighbours. It appeared from evidence that, in disregard of conditions, the premises was marketing itself and operating as a bar / nightclub, for example a clearly promoted event for 13/2/16 stating free before 1am thereafter £10, and doors open 11pm – late, in wholesale disregard to the terminal hours of the licence. This event first attracted the attention of the Police on 14/2/16 and PC Karen Staff described what happened on page 20 of the agenda pack.

h. A licence inspection followed on 16/2/16 which was very troubling for the Police as a number of breaches of conditions were discovered. A discussion took place with the premises licence holder, who was warned and reminded and given advice. There were further visits on 3/3/16 and 20/4/16 and on each occasion, very worrying breaches of the licence were discovered or not put right.

i. Despite the visits and warnings in respect of criminal offences, in May 2016 a chalk board outside advertised an event on 7/5/16 in respect of boxing coverage. This was an obvious breach of the licence as it implied that the premises would be open from 01:30 until the boxing match finished. The Police lost confidence in Ms Patterson to take her premises licence holder responsibilities seriously.

j. In her witness statement, included as Annex 07, Ms Patterson made a number of comments in respect of the approach the Police had taken. PC Karen Staff confirmed that she had provided warnings and advice that promoted events with DJs could attract groups of people, and that some DJs were gang members or had a gang following, and there was an added risk of crime and disorder with such events. Police had wanted to make Ms Patterson aware what could happen. Other premises had also been warned against this kind of promoted event. This was also why bars and nightclubs had extra conditions on their licence.

k. A set of conditions were placed on the licence at the time it was applied for, and the licence holder had been aware of them from the time it was first granted.

l. The Police had worked in a graduated approach, but each time they had visited there were breaches of the licence, and Ms Patterson had not appeared particularly concerned. Police had visited four times, but there were still breaches. It seemed that the licence holder could not adhere to basic conditions; and there was an added risk from the promoted events

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she wanted to hold. It was up to the licence holder to promote the licensing objectives; Police had tried to work with her but there did not seem to be an understanding.

m. In respect of the significance of the absence of reported crime, the Police would say from evidence that this owed nothing to good management, but much to good luck. The Police feared that the licensing objective of prevention of crime and disorder was being undermined. Promotion of licensing objectives required more than keeping a clean record: their promotion needed to be demonstrated. There was a requirement not to create conditions in which the licensing objectives could be undermined.

3. The statement of Ms Charlotte Palmer, Licensing Enforcement Officer, on behalf of the Licensing Authority including:
  - a. The Licensing Authority supported the Police review.
  - b. She had also met with the premises licence holder during the licence application process.
  - c. The premises had a history of noise disturbance, and it was located within a Cumulative Impact Policy (CIP) area.
  - d. In relation to concerns raised by the licence holder, Charlotte Palmer confirmed that she had been to other meetings and had similar conversations regarding promoted events, and regarding venues like this one which had a room at the back that could be described as being more attractive to people not wanting to be seen. The same advice had been given to other premises. The advice had no connection with this being a Caribbean venue. The impression given on Facebook was that the rear room was being used for events.
  - e. Planning permission would be required for a change of use, and there was a current investigation in respect of the premises trading without the necessary planning permission.
  - f. The licence holder had shown a lack of understanding of compliance with all licensing conditions. The conditions did not match what was advertised on the venue's Facebook page or on flyers which had displayed charges for events after 01:00. No Temporary Event Notices (TENs) had been granted for the dates advertised.
  - g. There had been no incidents of crime and disorder reported, but each breach of the licence was an alleged criminal offence.
  - h. Noise complaints were received over the Christmas period and there had been concerns about public safety.
  - i. On 14/2/16 the Police attended and found the shutters down and the premises operating more like a night club, but while being conditioned like a restaurant.
  - j. Ms Patterson in her witness statement, para 8, stated "we were not operating as a nightclub/bar", but the premises had clearly been advertising itself as a wine bar when it was not licensed to be so. Events were said to have been private, but it was known there should have been a TEN. The advertising and charging of payment for the event on 14/2/16 clearly showed it was not private.

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- k. At their licensing inspection on 16/2/16, the Police found a number of breaches to the licence. After this length of time, the Police should be finding no breaches.
- l. Altogether, the breaches of the Licensing Act and the breaches of conditions led to a lack of confidence in the licence holder's ability to comply with the licence.
4. Representatives of the Police and the Licensing Authority responded to questions as follows:
- a. In response to Councillor Savva's queries about the unavailability of CCTV coverage, PC Karen Staff advised that each time the Police visited they provided advice about the condition that all members of staff should be able to work the system. There was not the knowledge enough of the system to download a particular time period or image.
  - b. In response to Councillor Savva's further queries, it was confirmed that each time Police or Licensing officers had visited the premises, they had offered advice and assistance to the licence holder and provided appropriate contact details. It was also confirmed that issues went back to at least May 2015.
  - c. In response to Councillor Levy's questions about the application for revocation, PC Karen Staff confirmed that the licence holder was not running the business in accordance with the licence currently. She had no confidence that if the licence was modified in any way, that the licence holder would comply with it.
  - d. Councillor Levy queried whether issues could be ascribed to naivety and whether it was believed that suspension and additional conditions rather than revocation of the licence could be a potential way forward. It was advised that to a certain extent that would depend on what the licence holder had to say, but at the moment there were no proposals on the table in respect of altering the management arrangements, and so authorities were faced with the present situation continuing. It was not considered very complex to understand what the licence required or what the Police wanted. This premises was in a high street in a CIP area and therefore vulnerable to crime and disorder issues. Naivety was not a good enough reason to justify what was going on.
5. The statement of Ms Alisha Patterson, Designated Premises Supervisor (DPS), including:
- a. She confirmed that she was the DPS and manager, and that the premises was firstly a restaurant which offered alcohol with a meal.
  - b. The restaurant served proper table meals, for example promoting fish on Fridays: it was not a 'front' for anything else and did not just offer 'sandwich fillings'. The venue did not sell sandwiches and she found those implications offensive. The food was in a separate unit.
  - c. Prior to making the application for a licence, there had been some private functions. She had then had discussions with PC Gary Marsh about what could be offered and had been advised to offer alcohol with food.

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- d. She understood there had been problems and breaches and she was not trying to disregard them or not admit them. Issues had been corrected, such as having licence documentation on the premises and displayed on the wall, and provision of staff training. She was competent to give training and instructions. Officer visits had taken place when the venue had not been trading, which was why documents had not been behind the bar.
  - e. In respect of the CCTV system, on one visit when footage was requested there had been something wrong with the camera. On the next visit, the system was up and running and demonstrated that footage could be played back, though there had been issues in relation to transferring onto a USB. The Police had also asked for voice recording as well as images, but this was a restaurant and she felt that customers having private conversations should have their personal space respected and that voice recording was not necessary.
  - f. Every time she applied for a TEN, the Police had objected and she had then always withdrawn the TEN and was unsure what she could do to get the Police to reconsider.
  - g. She stood by her comments that she did not tell the Police that she did not know the four licensing objectives.
  - h. She had received contradictory advice about private functions.
  - i. She was efficient and more than capable of being DPS. Everything needed to comply with the licence was now up to date.
  - j. There had been no incidents of crime and disorder, or any underage sales of alcohol. This business was run professionally.
  - k. She worked at the business a lot on her own, working hard and multi-tasking. Officers often made their visits in the morning when she was alone. She questioned why two or three officers came together and that their approach felt quite intimidating.
  - l. Mr Patterson (Alisha Patterson's father) spoke in support. He advised that Ms Patterson and her mother controlled the front of the venue and that he controlled the rear. He reported that patrons coming into the back of the premises had to be 40/45 plus years old. Therefore references to gangs were irrelevant. These were mothers and fathers enjoying events, not gang members. Mr Patterson was putting on the events. His daughter had been made nervous by officer visits and mentions of criminal offences and imprisonment.
6. Ms Patterson and Mr Patterson responded to questions including:
- a. Councillor Steven queried the private parties, particularly the event linked to a boxing match which was known not to have finished before 04:00, and was advertised with an entry charge. Mr Patterson advised that until they were told clearly how to do things they thought such events could be put on. When they received advice they stopped the events straight away and stopped selling alcohol. Now they had no alcohol showing. They had done everything that was asked, yet had now been brought to this review hearing. Whatever had been done had never been accepted as good enough by the authorities.



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- b. Councillor Levy asked why any event was held which was outside the hours permitted on the licence, which set out a terminal hour of 00:00. Mr Patterson advised that they thought they were allowed, but when told they could not go over those times they had stopped.
- c. In response to Councillor Levy's further queries, highlighting that the licence was granted the previous October, and querying at what point it was made clear that the licence did not permit anything other than a restaurant, Mr Patterson stated this was at their last rave.
- d. Councillor Levy asked, if the business was firstly a restaurant and was licensed as such, why any events outside of that licence were being held. Ms Patterson responded that until it was brought to her attention, it had been thought they could hold their own private functions on their property.
- e. Councillor Levy asked if the licence gave permission for such functions and Ms Patterson stated that, on this licence, no.
- f. In response to Councillor Savva's query whether it was agreed that officers had offered help and given time to put things right, Mr Patterson confirmed that anything the authorities had asked for had been done.
- g. Councillor Levy asked why the original licence application had been for a restaurant and not for a wine bar / nightclub. Ms Patterson advised that when she was submitting the original application she had spoken with PCs Karen Staff and Gary Marsh who had advised that approach would be more appropriate as it would be better to trade with supply of alcohol linked with food service.
- h. In response to Councillor Levy's further queries, Ms Patterson confirmed that the personal licence training she underwent had covered issues around cumulative impact, and that when she made the original application she was aware that the premises was in a CIP area and that was why the hours applied for terminated at 00:00.
- i. In response to Councillor Levy's further queries, Mr Patterson confirmed they were in breach of the licence until they were corrected. He disagreed that the premises was in breach of conditions of the licence at all four visits by officers, but clarified that initially there were breaches and at some visits there were breaches.
- j. In response to Mr Lewin's question about what was understood to be a private event, Mr Patterson responded that a private event would be for people who were known, possibly by invitation only, and that there may be a payment of a small amount. There could be private parties where attendees still had to pay for entry.
- k. In response to Mr Lewin's further queries and highlighting of events promoted on Facebook free until 01:00 thereafter £10, Mr Patterson confirmed that these were private events in his understanding even though there was a charge. Ms Patterson confirmed that it was understood these would be a breach of the licence in terms of time and that was why she had applied for a TEN. She accepted that there had been no TEN in place for the event of February 2016. It was advised that a TEN had not been sought for the event on 13/2/16 as it was a private function. It had not been considered that the event would be a breach of the licence as it was a

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private function. Mr Patterson advised that the event on 13/2/16 was a lock in because it was private and he did not let just anyone in.

l. Councillor Levy asked if the licence which had been applied for and been granted was understood. Mr Patterson stated that it was understood now but had not been understood back then.

m. Councillor Levy highlighted the time periods, licensing visits and letters, and in response to his questions whether the licence was understood as a premises licence conditioned for a restaurant with a terminal hour of 00:00 and provision of alcohol ancillary to food, Ms Patterson confirmed that yes it was.

7. The summary statement of Ellie Green, Principal Licensing Officer, including:
  - a. The initial, original application for a licence was for later hours, but as the premises was in a CIP area, and through mediation, an application was agreed with hours which conformed to the CIP and without the need for a hearing.
  - b. There had been no TENs applied for before 2/3/16. No TENs had been granted to the premises: the TENs applications made were objected to and subsequently withdrawn.
  - c. Having heard the representations from all parties, it was for the Licensing Sub-Committee to take such steps as it considered appropriate for the promotion of the licensing objectives.
  - d. The relevant statutory guidance and Enfield policy references as set out in para 5 of the officers' report were highlighted, particularly Guid 11.21.
8. The summary statement of Mr Matt Lewin, Cornerstone Barristers, on behalf of the Metropolitan Police Service, including:
  - a. The Police position was still to recommend revocation of the licence.
  - b. Underlying each of the licensing objectives was the public interest, and whether through wholesale disregard or naivety, the way this premises was operated harmed the public interest that the licensing objectives were in place to protect.
  - c. He questioned whether what had been heard from the DPS gave confidence that the licensing objectives were understood or whether the licence was understood.
  - d. There was concern about references made to 'raves' and 'lock ins' during the hearing. The Police had no previous contact with Ms Patterson's father, but he appeared to play a more important part in the operation of the venue than appreciated and he was not accountable. It was questionable whether he understood the requirements of lawfully running a licensed premises.
  - e. The wider consequences should be borne in mind. Within the CIP area it was very unlikely that a licence for anything other than a restaurant would have been granted.
  - f. There were residences above and in the street behind the premises, so any noise nuisance or crime and disorder was going to have a very severe impact on local residents; and this was already a CIP area.

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- g. Nothing had been heard at this meeting which could restore the Police's confidence in the DPS to run this operation responsibly.
9. The summary statement of Ms Charlotte Palmer, Licensing Enforcement Officer, on behalf of the Licensing Authority including:
- a. She wished to clarify that if any charge was made for any licensable activity, that it was not a private event and that an appropriate licence or a TEN was required. Customers were paying to come to events advertised at this premises; they would not get free drinks or food if they did not pay on the door. If a third party hired a premises for a party they had also paid for the hire and activities still required a licence. She did not think this was understood by the licence holder.
  - b. The Licensing Authority had no confidence in the licence holder / DPS and still supported the Police's review application. Officers had real concerns regarding what was heard in responses during the hearing and now had even less confidence in the operation of the venue. The DPS did not appear to understand that unless every single condition of the licence was being complied with, no licensable activities should be taking place.
10. The summary statement of Ms Alisha Patterson, Designated Premises Supervisor (DPS), including:
- a. She had not said she did not understand the breaches of the licence. Everything was now up to date and everything had been done to comply with the licence conditions.
  - b. This was a new business. The restaurant was new and initially ran private functions and events to attract people to the venue and promote the business. However it had been made aware that what they classed as private functions were actually breaches of the licence, and she could guarantee she would not be continuing any of those what were initially thought of as private functions, and that drink would only be served to 23:45 and with food.
11. The Chair asked Ms Patterson if she had considered a voluntary surrender of the licence, in order to create time for her to fully understand the responsibilities and to seek a new licence at a future time. In the meantime, the venue may still be run as a restaurant providing food. A brief adjournment of the meeting was offered if Ms Patterson wished to take time to consider her response. Ms Patterson confirmed that she did not wish to surrender the licence, but that she thought what was best for the business was if she complied with the terms and conditions of the licence, including selling alcohol with a meal.

**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

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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 considered all the written evidence and oral submissions at the hearing itself, the Licensing Sub-Committee (LSC) is fully persuaded by the case put by the applicant and believe that it is appropriate, proportionate, and necessary to revoke the licence.

The LSC took the view put by both the Metropolitan Police Service and the Licensing Authority that they have no confidence in the ability or capacity of Ms Patterson as the Premises Licence Holder / Designated Premises Supervisor to operate the licence in accordance with its terms and conditions.

This situation was even exacerbated by the licence holder through verbal submissions on the day, demonstrating clearly that she did not comprehend the basis of the licence, the Licensing Act, or the implications of the contraventions presented, be that wholesale, wilful, or just naïve.

The evidence we heard from all parties made it clear that the licensing objectives were not promoted, and further we were not persuaded by the points made by the licence holder in mitigation.”

3. The Licensing Sub-Committee resolved to revoke the licence.

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**EURO EXPRESS, 212-214 CHASE SIDE, ENFIELD, EN2 0QX (REPORT NO. 24)**

RECEIVED the application made by Mr Haci Siringul for the premises situated at Euro Express, 212-214 Chase Side, Enfield, EN2 0QX for a new Premises Licence.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
  - a. The application was for a new premises licence, submitted by Mr Haci Siringul.

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- b. The application sought operating hours of 24 hours daily, and supply of alcohol (off supplies only) 08:00 to 00:00 daily.
  - c. The premises did have a licence, under a different named premises licence holder. The current licence only permitted sale of alcohol to 23:00 latest. This licence had been subject to review and had been revoked by the Licensing Sub-Committee on 27/4/16. An appeal had been lodged, but the matter was still to be determined by the magistrates court.
  - d. The Licensing Authority was satisfied there was no connection between this applicant and the named premises licence holder Mr Ali Arslan on the other licence that existed.
  - e. Additional conditions were sought by the Licensing Authority and the Police and were agreed by the applicant. Representations by the authorities were duly withdrawn.
  - f. Representations were made against the application by six local residents, as set out in Annex 03, on the grounds of prevention of crime and disorder, prevention of public nuisance, and the protection of children from harm. The first interested party had advised they were unable to attend this hearing. All the other five residents were invited, but none had confirmed or declined attendance. The Chair confirmed that all parties had received and read all the points made by the residents.
2. In response to the Chair's query, it was confirmed that once the outcome was determined in court in respect of the current licence, the Licensing Authority would notify the present licence holder.
3. The statement of Mr Robert Sutherland, Keystone Law, solicitor on behalf of Mr Haci Siringul, the applicant, with interpretation assistance by Mr Gokan, including:
- a. There was a current licence for Euro Express as opposed to Euro International, which would be the new shop name.
  - b. He was not instructed by the holder of the current licence, so was not able to offer its surrender. If granted, this licence would be slightly wider and would be the licence relied upon.
  - c. The additional conditions sought had been agreed and were set out in Annex 04.
  - d. The main difference from the current licence was the extra hour for supply of alcohol between 23:00 and 00:00. This additional hour was quite important from a commercial perspective. There were other convenience shops trading in the area and Mr Siringul believed that being licensed to 00:00, which was within the core hours policy, would be needed to make this business a viable concern.
  - e. It was appreciated that the premises was in a residential area, and mitigation of residents' concerns had been carefully considered, including signs reminding customers to respect the needs of local residents and leave the premises and area quietly.
  - f. The applicant would like to propose, as an additional condition, that between 23:00 to 00:00 cans or bottles of alcohol 500ml or less could be sold only with a minimum of four items to any customer. The interested

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parties' concerns had focused on vagrants and street drinkers and this proposal would be a useful deterrent as no-one would be able to come in and buy a single can or bottle late at night.

4. In response to the Chair's queries, it was confirmed that the applicant had made no direct contact with any of the local residents. It was agreed that this would be good practice, and that it would be clearly publicised that the shop was under new management. It was also confirmed that it was not felt necessary to include bottles of wine or spirits in the additional condition.
5. The summary statement of Ellie Green, Principal Licensing Officer, that, having heard the representations from all parties, it was for the Licensing Sub-Committee to take such steps as it considered appropriate for the promotion of the licensing objectives.

#### RESOLVED that

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

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

2. The Chairman made the following statement:

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

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

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

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

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

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

- (i) Hours the premises are open to the public: 24 hours daily.
- (ii) Sale of alcohol (off supplies only): 08:00 to 00:00 daily.

Conditions (in accordance with Annex 04):

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