

Public Document Pack



LICENSING SUB-COMMITTEE

Wednesday, 29 March 2017 at 10.00 am
Council Chamber, Civic Centre, Silver Street,
Enfield, EN1 3XA

Contact: Jane Creer
Committee Secretary
Direct : 020-8379-4093
Tel: 020-8379-1000
Ext: 4093
E-mail: jane.creer@enfield.gov.uk
Council website: www.enfield.gov.uk

Councillors : Derek Levy (Chair), Christine Hamilton 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. EXCLUSION OF THE PRESS AND PUBLIC

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting to consider items of business marked Part 2 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).

4. KANATCI, 500-504 HERTFORD ROAD, ENFIELD, EN3 5SS (REPORT NO. 247) (Pages 1 - 140)

Application to review a premises licence / transfer application / vary DPS application.

5. MINUTES OF PREVIOUS MEETING (Pages 141 - 152)

To receive and agree the minutes of the meeting held on Wednesday 8 March 2017.

This page is intentionally left blank

MUNICIPAL YEAR 2016/17 REPORT NO. **247**

COMMITTEE :
Licensing Sub-Committee
29 March 2017

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
<p>SUBJECT : Application to review a premises licence</p> <p>PREMISES : Kanatci, 500-504 Hertford Road, ENFIELD, EN3 5SS</p> <p>WARD : Enfield Lock</p>	

1.0 LICENSING HISTORY & CURRENT POSITION:

- 1.1 On 10 May 2005 an application by Mr Hayri Ebcin to convert an existing Justices Restaurant Licence and a Public Entertainment Licence to a Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers (LN/200500120). Mr Ebcin was also the named Designated Premises Supervisor.
- 1.2 On 30 April 2013 an application by Ms Melek Akgun for transfer of the Premises Licence, which was not subject to any representation from the Police, was granted by officers in accordance with delegated powers. Ms Akgun was also the named Designated Premises Supervisor.
- 1.3 On 16 August 2013 application was made by the Licensing Authority for a review of the Premises Licence. The review was made following after hours sales and a breach of a noise abatement notice. The Licensing Sub-Committee resolved to revoke the premises licence on 6 November 2013. An appeal was subsequently submitted.
- 1.4 However, on 8 July 2014 a new premises licence (LN/201400350) was issued naming Mr Hakan Atakli as the Premises Licence Holder and Designated Premises Supervisor (DPS). Therefore the appeal hearing was dismissed and premises licence LN/200500120 was revoked.
- 1.5 On 19 June 2015, a vary DPS and Transfer application was issued naming Mr Erdogan Gurgur as the Premises Licence Holder, and Mr Osman Ercen as the DPS.
- 1.6 On 20 February 2017, a vary DPS and Transfer application was submitted naming Mr Mustafa Arslan as the Premises Licence Holder and Mr Erdal Tercanli as the DPS.

- 1.7 The current Premises Licence permits:
- Hours the premises are open to the public: Daily from 09:00 to 00:00.
 - Supply of alcohol (on and off supplies): Daily from 10:00 to 23:00.
 - Live music, Recorded music & Performance of dance: Daily 09:00 to 23:00.
 - Late night refreshment: Daily from 23:00 to 00:00.

1.8 A copy of a location map of the premises is attached as Annex 01.

1.9 A copy of the current Premises Licence is attached as Annex 02.

2.0 THESE APPLICATIONS:

Due to the overlap of information in three applications for the same premises, they are to be presented together.

2.1 REVIEW APPLICATION

2.1.1 On 16 March 2017 application was made by the Licensing Authority for a review of the Premises Licence (LN/201400350).

2.1.2 Under S167 of the Licensing Act 2003 a premises licence review is triggered where a Magistrates Court has made a Closure Order under section 80 of the Anti-Social Behaviour, Policing and Crime Act 2014.

2.1.3 On Wednesday 15 March 2017, Highbury Corner Magistrates Court issued a Closure Order for Kanatci, 500-504 Hertford Road, ENFIELD, EN3 5SS, which closes the premises for a period of three months. The Licensing Authority was notified of the order on the same day.

2.1.4 The closure order was sought by the Metropolitan Police Service following reports of crime and disorder at the premises.

2.1.5 The review application, including a copy of the Closure Order and submissions from the Police are attached as Annex 03.

2.1.16 The Licensing Authority is required to notify the premises licence holder, responsible authorities and other interested parties of the review and invite representations.

2.1.7 The Premises Licence Holder and Responsible Authorities were advised that representations to the application should be submitted within 7 days of the advertisement, and the closing date is 22 March 2017. This report was prepared prior to that date; therefore any further representations will be submitted in an additional report.

2.1.8 A Licensing Officer placed copies of the notice at the premises and at the Council offices and also on the Councils website.

2.1.9 A representation was received from the Licensing Authority on 20 March 2017 in support of the review application, on the grounds of all four licensing objectives. This representation is attached as Annex 04.

2.2 TRANSFER APPLICATION:

2.2.1 On 20 February 2017, Mr Mustafa Arslan applied to the Licensing Authority for a Transfer of Premises Licence (LN/201400350).

2.2.2 A copy of the application is attached as Annex 05.

2.2.3 On 6 March 2017, the Police gave notice that they considered that it was necessary under the crime prevention objective to object to the Transfer application. A copy of the Police representation is attached as Annex 06.

2.3 VARY DPS APPLICATION

2.3.1 On 20 February 2017, Mr Mustafa Arslan applied to the Licensing Authority to vary the DPS from Mr Osman Ercen to Mr Erdal Tercanli.

2.3.2 A copy of the application is attached as Annex 07.

2.3.3. On 6 March 2017, the Police gave notice that they considered that it was necessary to object to the Vary DPS application. A copy of the Police representation is attached as Annex 06.

3 RELEVANT LAW, GUIDANCE & POLICIES:

3.1 The paragraphs below are extracted from either:

3.1.1 the Licensing Act 2003 ('Act'); or

3.1.2 the Guidance issued by the Secretary of State to the Home Office of June 2014 ('Guid'); or

3.1.3 the London Borough of Enfield's Licensing Policy Statement of April 2012 ('Pol').

3.1.4 the Summary Review Guidance, Section 53A Licensing Act 2003 issued by the Home Office ('Summary').

General Principles:

3.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4 (1)].

3.3 The licensing objectives are:

3.3.1 the prevention of crime and disorder;

3.3.2 public safety;

3.3.3 the prevention of public nuisance; &

3.3.4 the protection of children from harm [Act s.4 (2)].

- 3.4 In carrying out its functions, the Sub-Committee must also have regard to:
3.4.1 the Council's licensing policy statement; &
3.4.2 guidance issued by the Secretary of State [Act s.4 (3)].

Review:

- 3.5 In reviewing a licence the Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information [Pol s.10.3].
- 3.6 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective. [Guid 11.24]
- 3.7 The licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination. [Guid 11.2]
- 3.8 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of illegal firearms;
 - as the base for the organisation of criminal activity, particularly by gangs. [Guid 11.27]
- 3.9 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. [Guid 11.28]
- 3.10 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:
- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
 - the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
 - notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).[Guid 11.28]

Transfer:

- 3.11 Section 43 of the 2003 Act provides a mechanism which allows the transfer to come into immediate interim effect as soon as the licensing authority receives it, until it is formally determined or withdrawn. This is to ensure that there should be no interruption to normal business at the premises. If the police raise no objection about the application, the licensing authority must transfer the licence in accordance with the application, amend the licence accordingly and return it to the new holder. [Guid 8.93]
- 3.12 In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. Such objections are expected to be rare and arise because the police have evidence that the business or individuals seeking to hold the licence or business or individuals linked to such persons are involved in crime (or disorder). [Guid 8.94]

Police objections to new designated premises supervisors:

- 3.13 The police may object to the designation of a new DPS where, in exceptional circumstances, they believe that the appointment would undermine the crime prevention objective. [Guid 4.26]
- 3.14 Where the police do object, the licensing authority must arrange for a hearing at which the issue can be considered and both parties can put forward their arguments. The 2003 Act provides that the applicant may apply for the individual to take up post as DPS immediately and, in such cases, the issue would be whether the individual should be removed from this post. The licensing authority considering the matter must restrict its consideration to the issue of crime and disorder and give comprehensive reasons for its decision. Either party would be entitled to appeal if their argument is rejected. [Guid 4.27, Act S.38]

Decision - Review:

- 3.15 Having heard all of the representations (from all parties) the Sub-Committee must consider:
- 3.16 The steps the licensing authority can take are:
- 3.16.1 To modify the conditions of the licence;
 - 3.16.2 To exclude a licensable activity from the scope of the licence;
 - 3.16.3 To remove the designated premises supervisor;
 - 3.16.4 To suspend the licence for a period not exceeding three months;
 - 3.16.5 To revoke the licence [Act s.52].

- 3.17 In deciding which of these powers to invoke, the Sub-Committee should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should generally be directed at those causes and should always be no more than an appropriate and proportionate response [Guid s.11.20].

Decision - Transfer:

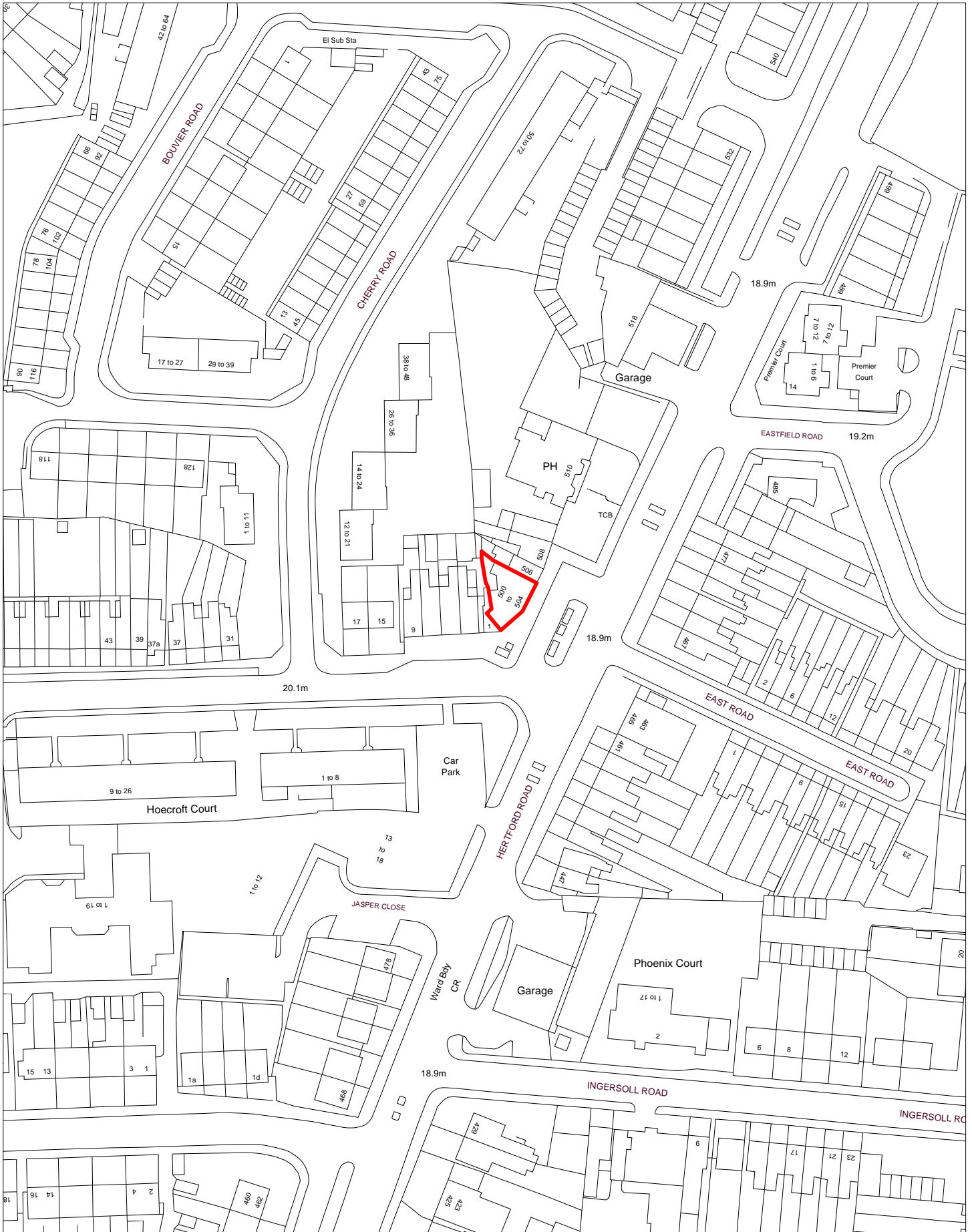
- 3.18 Having heard from all parties, the Licensing Sub-Committee may be minded to either:
- Grant the licence as per the transfer application;
 - Reject the transfer application [Act s.44 (5) (b)]

Decision – Vary DPS:

- 3.19 Having heard from all parties, the Licensing Sub-Committee may be minded to either:
- Grant the licence as per the vary DPS application;
 - Reject the vary DPS application [Act s.39 (3) (b)].

Background Papers :
None other than any identified within the report.

Contact Officer :
Ellie Green on 020 8379 8543



Kanatci, 500-504 Hertford Road, ENFIELD, EN3 5SS

LONDON BOROUGH OF ENFIELD
CIVIC CENTRE, SILVER STREET,
ENFIELD, EN1 3XE
www.enfield.gov.uk



© Crown copyright and database rights 2017
Ordnance Survey Licence no.100019820

Drg.No. 6900X
Scale 1:1250
Date 15/03/17

This page is intentionally left blank



Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/201400350

Part 1 – Premises Details

Postal address of premises :

Premises name : Mevsim Restaurant

Telephone number : 020 8804 9055

Address : 500-504 Hertford Road ENFIELD EN3 5SS

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

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

(1) **Open to the Public - Whole Premises**

Sunday :	09:00 - 00:30
Monday :	09:00 - 00:30
Tuesday :	09:00 - 00:30
Wednesday :	09:00 - 00:30
Thursday :	09:00 - 00:30
Friday :	09:00 - 00:30
Saturday :	09:00 - 00:30

(2) **Supply of Alcohol - On & Off Supplies**

Sunday :	10:00 - 23:00
Monday :	10:00 - 23:00
Tuesday :	10:00 - 23:00
Wednesday :	10:00 - 23:00
Thursday :	10:00 - 23:00
Friday :	10:00 - 23:00
Saturday :	10:00 - 23:00

(3) **Live Music - Indoors**

Sunday :	09:00 - 23:00
Monday :	09:00 - 23:00
Tuesday :	09:00 - 23:00
Wednesday :	09:00 - 23:00

Thursday :	09:00 - 23:00
Friday :	09:00 - 23:00
Saturday :	09:00 - 23:00

(4) Recorded Music - Indoors

Sunday :	09:00 - 23:00
Monday :	09:00 - 23:00
Tuesday :	09:00 - 23:00
Wednesday :	09:00 - 23:00
Thursday :	09:00 - 23:00
Friday :	09:00 - 23:00
Saturday :	09:00 - 23:00

(5) Performance of Dance - Indoors

Sunday :	09:00 - 23:00
Monday :	09:00 - 23:00
Tuesday :	09:00 - 23:00
Wednesday :	09:00 - 23:00
Thursday :	09:00 - 23:00
Friday :	09:00 - 23:00
Saturday :	09:00 - 23:00

(6) Late Night Refreshment - Indoors

Sunday :	23:00 - 00:00
Monday :	23:00 - 00:00
Tuesday :	23:00 - 00:00
Wednesday :	23:00 - 00:00
Thursday :	23:00 - 00:00
Friday :	23:00 - 00:00
Saturday :	23:00 - 00:00

Part 2

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

Name :	Mr Erdogan Gurgur
Telephone number :	Not provided
e-mail :	Not provided
Address :	32 Nile Drive, LONDON, N9 0FL

Registered number of holder (where applicable) : Not applicable

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

Name :	Not applicable
Telephone number :	
Address :	

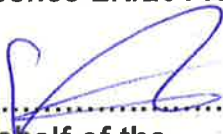
Name and address of designated premises supervisor (where the licence authorises the supply of alcohol) :

Name :	Mr Osman Ercen
Telephone number :	Not provided
e-mail :	Not provided
Address :	Mr Ercan Osman, 16 Bramcote Grove , London, SE16 3BW

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

Personal Licence Number :	844949
Issuing Authority :	London Borough of Southwark

Premises Licence LN/201400350 was first granted on 8 July 2014.

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

Date : 19th June 2015



Annex 1 - Mandatory Conditions

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

Annex 2 - Conditions consistent with the Operating Schedule

3. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.

4. Alcoholic drinks shall not be taken from the premises in an open container.

5. A digital CCTV system must be installed in the premises complying with the following criteria: (1) Cameras must be sited to observe the entrance and exit doors and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification; (3) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (4) Cameras must capture a minimum of 25 frames per second; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time, and place of any image; (7) Provide good quality images - colour during opening times; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) Police or authorised local authority employees will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police or authorised local authority employees on request.

6. Alcohol shall only be served to people taking table meals or waiting to be seated for a meal.

7. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Designated Public Place Order' and that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

8. A Personal Licence holder shall be on the premises at all times.
9. 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.
10. 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.
11. The Local Authority or similar proof of age scheme shall be operated and relevant material shall be displayed at the premises. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.
12. 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.
13. 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.
14. With the exception of access and egress, all doors and windows shall be closed when the premises are in use for the purpose of regulated entertainment.
15. The management shall make subjective assessments of noise levels outside at the perimeter of the premises every hours when 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 or police, 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.




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

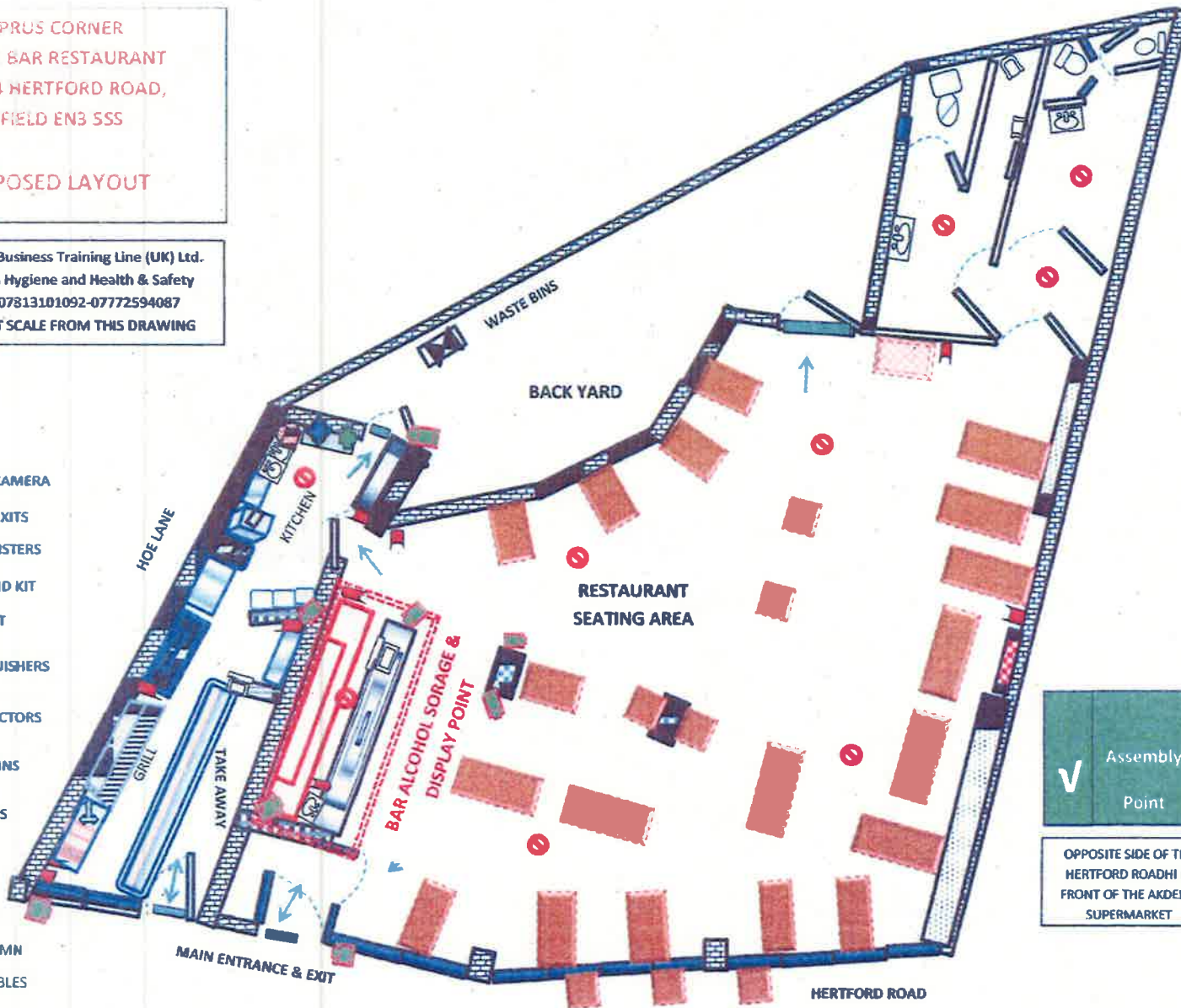
Not applicable

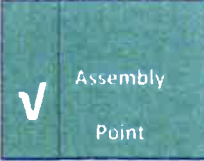
CYPRUS CORNER
 MEZE & BAR RESTAURANT
 500-504 HERTFORD ROAD,
 ENFIELD EN3 5SS

PROPOSED LAYOUT

As: 02/06/2014 Business Training Line (UK) Ltd.
 Licencing, Food Hygiene and Health & Safety
 Consultancy 07813101092-07772594087
 PLEASE DO NOT SCALE FROM THIS DRAWING

-  CCTV CAMERA
-  FIRE EXITS
-  CASH REGISTERS
-  FIRST AID KIT
-  FIRE BLANKET
-  FIRE EXTINGUISHERS
-  SMOKE DETECTORS
-  ELECTRIC MAINS
-  WATER MAINS
-  GAS MAIN
-  GAS BOILER
-  COLUMN
-  TABLES



 Assembly Point

OPPOSITE SIDE OF THE
 HERTFORD ROAD IN
 FRONT OF THE AKDENIZ
 SUPERMARKET

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Closure Order

**(Anti-Social Behaviour, Crime and Policing Act 2014 -
Part 4, Chapter 3, Section 80)**

NORTH LONDON MAGISTRATES COURT

Sitting at - Highbury Corner Magistrates Court, 51 Holloway Road, N7 8JA

(Code 2752)

Date: 15th March 2017

Address: 500-504 HERTFORD ROAD EN3 5SS

On application of PC237YE STAFF of the Metropolitan Police Service:

Name of Applicant Authority: Metropolitan Police Service

Address of Applicant Authority:

This court is satisfied that (tick the relevant box):

(a) a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises, or



(b) the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public, or



(c) there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises,



and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.

2.

Accordingly, a **Closure Order** is made, pursuant to Section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014, in respect of the address specified above

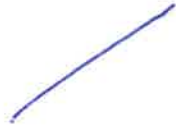
A Closure Order is an order prohibiting access to the premises for a period specified in the order

This Closure Order prohibits access by all persons (except those specified or those of a specified description) at all times (unless specified) in all circumstances (unless specified), for a period of (maximum of three months)

starting at (time / date)... **15/3/17**
(time / date) **12:45.**

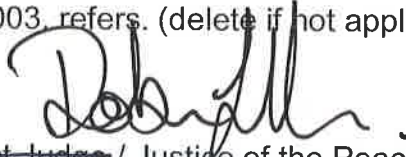
14/6/17 23:59
and ending at...

Subject to the following exceptions:



A person who without reasonable excuse remains on or enters premises in contravention of a Closure Order commits an offence under section 86 of the Anti-social Behaviour, Crime and Policing Act 2014, liable on summary conviction to imprisonment not exceeding 51 weeks and / or an unlimited fine.

If this Closure Order relates to licensed premises in respect of which a premises licence is in force, then the Court shall notify the relevant licensing authority that a Closure Order has been issued - section 167 of the Licensing Act 2003, refers. (delete if not applicable)



~~District Judge / Justice of the Peace~~

~~[By order of the clerk of the court]~~

Date: **15/3/17**

IN THE Highbury Corner Magistrates Court

IN THE MATTER OF THE ANTI - SOCIAL BEHAVIOUR
CRIME AND POLICING ACT 2014

AND IN THE MATTER OF AN APPLICATION FOR A
CLOSURE ORDER IN RESPECT OF 500-504 HERTFORD
ROAD, EN3 5SS

BETWEEN

THE COMMISSIONER OF POLICE
OF THE METROPOLIS

Applicant

And

Mr Mustafa ARSLAN

Respondent

INDEX TO BUNDLE

1. Copies of Closure notice and consultation documents
2. Copy of statement by PC Staff outlining information from Police records relating to incidents at 500-504 Hertford Road
3. Copy of further statement by PC Staff exhibiting witness statement, crime and CAD reports.
4. Copy of statement by PC BRAGANZA regarding service of Closure Notice on 500-504 Hertford Road.
5. Copy of redacted crime report no 5202883/17
6. Copy of redacted crime report no 5205369/17
7. Copy of redacted CAD no 9832/8FEB17
8. Copy of redacted CAD no 905/12MAR17
9. Copy of hearsay statement

This page is intentionally left blank

NOT PROTECTIVELY MARKED

**METROPOLITAN
POLICE****TOTAL POLICING**

Form 121A

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
PART 4, CHAPTER 3****CLOSURE NOTICE****Re:** KANATCI Restaurant 500 - 504 HERTFORD ROAD EN3 5RS

Having reasonable grounds to be satisfied that:

- (a) the use of these premises has resulted, or (if the Notice is not issued) is likely soon to result, in nuisance to members of the public, or
- (b) that there has been, or (if the Notice is not issued) is likely soon to be disorder near those premises associated with the use of those premises, and
- (c) that the Closure Notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring; and
- (d) all appropriate persons / bodies have been consulted; and
- (e) reasonable efforts have been made to inform people who live on the premises (habitually or not), and any person who has control of, or responsibility for, the premises or who has an interest in them, that the Notice is going to be issued.

I, **CARL ROBINSON** Inspector / Superintendent, Metropolitan Police, hereby authorise the issue of this **Closure Notice** under Part 4, Chapter 3, Section 76 of the Anti-Social Behaviour, Crime and Policing Act 2014, in respect of the Premises specified above.

Name:

CARL ROBINSON

Signed:

Carl Robinson Supt.

Dated:

13.03.17.**The effect of this Closure Notice is that:**

accessing this Premises is hereby PROHIBITED for any persons other than those who habitually reside in the Premises or the owner of the Premises, or those specified below, for a period of up to 48 hours starting at **Time hours, on** **Date and ending at** **Time hours, on** **Date – subject to the following exceptions:**

1500**13/03/17****1500****15/03/17**

An application for a Closure Order will be made under Part 4, Chapter 3, section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 for the closure of the Premises specified above.

To be heard at Highbury Corner Magistrates Court on Date at Time hours, when evidence for the issue of a Closure Order will be considered. **15/03/17**

A Closure Order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014, would have the effect of closing the premises to all persons for a specified period (not exceeding three months).

A person who without reasonable excuse remains on or enters premises in contravention of a closure notice commits an offence under section 86 of the Anti-social Behaviour, Crime and Policing Act 2014, liable on summary conviction to a maximum of three months' imprisonment and / or an unlimited fine.

A person who without reasonable excuse remains on or enters premises in contravention of a closure order commits an offence under section 86 of the Anti-social Behaviour, Crime and Policing Act 2014, liable on summary conviction to imprisonment not exceeding 51 weeks and / or an unlimited fine.

Advice relating to this Notice and housing and legal matters generally can be obtained from any firm of solicitors or from the Citizens' Advice Bureau (Tel. 03444111444). With this notice is a list of additional local service providers who may be able to assist with further advice.

Licensed Premises - if this Notice relates to licensed premises and a Closure Order is successfully obtained at magistrates' court in relation to the premises, then the relevant licensing authority will be informed, who will then instigate a review of the premises license - section 167 of the Licensing Act 2003, refers.

This page is intentionally left blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

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 **Karen Staff**..... URN:

--	--	--	--

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 230836**

This statement (consisting of:**1**..... 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: *Karen Staff PC 2374E* Date: 14-3-17

This statement is in addition to my previous one dated 13th March 2017 relating to the closure notice issued on KANATCI Restaurant, 500-504 Hertford Road, EN3 5SS

Since my last statement the closure notice has been served on Mr ARSLAN personally whilst he was trading at the venue. I attach the statement to this affect by PC BRAGANZA 840YE exhibit no KMS/1.

I previously omitted the CRIS no for the second incident, this is CRIS 5205369/17. I attach copies of this, exhibit no KMS/3 and the earlier incident CRIS 5202883/17 as exhibit no KMS/2 along with the CAD's that accompany them. CAD no 9832/8feb17 KMS/4 and CAD no 905/12mar17 KMS/5

On 12th March 2017 Mr Arslan was spoken to by Police with regard to his and the publics' safety and he agreed to shut the venue and stay somewhere unknown to the suspects. Unfortunately, when Police and Council officers attended to issue the closure notice, Mr Arslan was at the venue and was trading as usual. The risk to him, his staff and members of public is still high as there are outstanding suspects and the venue is where the suspects are targeting him. I still believe the closure notice is necessary to prevent the disorder and criminal activity from continuing and to protect Mr Arslan, his family and members of the public from serious harm.

Signature: *Karen Staff PC 2374E* Signature witnessed by:

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

RESTRICTED (when complete)

This page is intentionally left blank

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of: PC840YE Damian Braganza

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

This statement (consisting of 1 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature: *PC840YE* Date: 13/03/2017

On MONDAY 13th MARCH 2017 I was on duty in full uniform in company with PCSO 7133YE WHEATLEY and PCSO7194YE TILLEY. We were tasked to attend KANATCI Restaurant at 500-504 HERTFORD ROAD ENFIELD EN35SS in order to serve a Closure Notice at the property.

In company with Louise BROWN from the Enfield Council Anti-Social Behaviour Unit we attended the venue around 1615hours. The owner Mr Arslan was at the premises and was personally served the closure notice at the venue under Section 79(2) of the Anti-social Behaviour Crime and Policing Act 2014.

He was asked to close the premises until further notice and the outcome of the court hearing on Wednesday 15 March 2017 at 3pm at Highbury Magistrates. A copy of the statement and closure notice was provided to Mr Arslan where he was asked if he had any questions and understood the current requirements expected of him. Mr Arslan confirmed that he understood the requirements of the closure notice.

A copy of the closure notice was attached to the shutters with tape at the venue. Officers left the scene with no issues.

PC840YE

Witness Signature: *PC840YE*

Signature Witnessed by Signature: _____

This page is intentionally left blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

IN THE HIGHBURY MAGISTRATES' COURT

IN THE MATTER OF THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT
2014 PART 4, CHAPTER 3

B E T W E E N :

THE COMMISSIONER OF POLICE
OF THE METROPOLIS

Applicant

And

500-504 HERTFORD ROAD, ENFIELD, EN3 5SS

Respondent

**HEARSAY NOTICE SERVED PURSUANT TO S.2
CIVIL EVIDENCE ACT 1995 AND PARAGRAPH 3
MAGISTRATES' COURT (HEARSAY EVIDENCE IN
CIVIL PROCEEDINGS) RULES 1999**

1. **TAKE NOTICE** that this Hearsay Notice is served in relation to proceedings before the Magistrates' Court brought against you by the Applicant under the Anti-Social Behaviour, Crime and Policing Act 2014 Part 4, Chapter 3.

2. It is the intention of the Applicant to adduce hearsay evidence at the substantive hearing of this application for forfeiture.

3. Such hearsay evidence is as follows: -
 - (a). Evidence contained in the witness statements of PC Karen Staff dated 13th and 14th March 2017, copies of which has been served upon you;

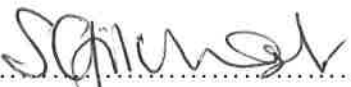
(b). Evidence contained in the unsigned witness statement of PC Damian Braganza dated 13th March 2017, a copy of which has been served upon you.

4. The Applicant believes that it is disproportionate in the context of this case to call these witnesses to give oral evidence and to do so would not be an efficient use of police and public resources.

5. You have 7 days from the date of service on you of this notice to make an application to the clerk of the Magistrates' Court for leave to call the aforementioned witness mentioned in paragraph 4 above for the purpose of cross-examination.

Dated 14th March 2017

Signature


SALLY GILCHRIST
CHARTERED LEGAL EXECUTIVE

Hugh Giles
Director of Legal Services
10 Lamb's Conduit Street
London
WC1N 3NR

IN THE HIGHBURY MAGISTRATES'
COURT

IN THE MATTER OF

THE COMMISSIONER OF POLICE OF THE
METROPOLIS

Applicant

500-504 HERTFORD ROAD, ENFIELD,
EN3 5SS

Respondent

**HEARSAY NOTICE SERVED PURSUANT
TO S.2 CIVIL EVIDENCE ACT 1995 AND
PARAGRAPH 3 MAGISTRATES' COURT
(HEARSAY EVIDENCE IN CIVIL
PROCEEDINGS) RULES 1999**

**Director: Hugh Giles
Solicitor**

10 Lamb's Conduit Street
London
WC1N 3NR

DX: 320101, Bloomsbury 12

*Tel No.: 020 7230 3879
Fax No.: 020 7230 7516
Ref: LD/131241/SAG*

This page is intentionally left blank



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: Kanatci
500-504 Hertford Road
Enfield
EN3 5S

Type of Application: Review

Detailed below is additional information from the Licensing Authority supporting the review to revoke this premises licence.

10.11.16 - Email sent to Premises Licence Holder in relation to the annual fee which had not been paid meaning the licence was suspended. No response received. **Appendix CP1.**

11.11.16 – The Out of Hours Licensing Enforcement Team (EVG/VPK/KS) visited the premises, it was closed.

02.12.16 – Police Licensing Officer (KS) visited the premises and advised the Licensing Team that there is a new owner - Mustafa Arslan who bought the premises 2 weeks ago and opened 2 days ago.

09.12.16 – Senior Licensing Enforcement Officer (CPX) phoned Mr Arslan to discuss annual fee, transfer, vary DPS - no answer and no voicemail.

12.12.16 – Annual Fee Paid

13.12.16 – Senior Licensing Enforcement Officer (CPX) phoned Mr Arslan regarding transfer and vary DPS - no answer and no voicemail. Advice email sent. No response received. **Appendix CP1.**

27.12.16 – 20.26 - Complaint received from local resident advising that they had been disturbed by loud music coming from the premises, with 30 – 40 customers dancing and singing outside the restaurant, banging on drums and other musical instruments. The police were called - Police CAD No 5895.

20.01.17 – 19:20 – 19:28 - The Out of Hours Licensing Enforcement Team (CPX/VPK) visited the premises to see the new owner and to advise that transfer and vary DPS applications were still needed. Owner not there - inspection report left requesting owner contact CPX. **Appendix CP2.**

24.01.17 – 14:00 - 14:30 - Senior Licensing Enforcement Officer (CPX) and Police Licensing Officer (KS) visited the premises as no contact from owner. Transfer and vary DPS applications still required. The Manager was not on site when the officers arrived. Officers looked around the restaurant and major concerns were raised about public safety. Officers felt there was a real risk of a fire at this premises. The new owner had installed a large charcoal grill in the dining area. This had no cover over it or glass stopping anything landing on it or preventing anyone from touching the hot coals and getting injured. It was close to seating and the floor right in front of it was damaged with flooring appearing to be staple gunned down and the planks of wood curling up - a trip hazard in front of naked flames. There was a large extractor system which had been attached to the ceiling above the grill which officers felt might require planning permission. This structure was not shown on the plan attached to the premises licence. Access to a door towards the back of the premises signposted as a fire escape had been blocked by a raised stage with three chairs, a music stand and a microphone stand on it. There was also a large wall mounted speaker which people would hit their head on if they tried to use this fire escape. **See Appendix CP3 i-xiv for photographs.** These concerns were pointed out to the owner when he arrived and he was advised that the officers would speak to colleagues in the relevant departments/organisations so they could visit and advise him further. He was advised to unblock the fire escape straight away and that he should not be using the grill until it was safe. He claimed to have ordered some glass for the grill so knew it was not safe but it was still being used at the time of the visit as red hot coals were seen. He was aggressive, shouting and accusing officers of trying to ruin his business. He took numerous phone calls whilst officers tried to explain that he needed to transfer the licence, vary the DPS and tried to carry out a licence inspection. He claimed that he was talking to the Council Officer's boss, 'someone right and the top of the council' and that he (whoever he was) would be speaking to the officer. He said this as if it was a threat in what appeared to be an attempt to scare the Officer. He shouted and swore about a local resident claiming that they were always trying to close down the business and did not seem to accept that there are some big safety issues. The Police Licensing Officer (KS) advised him that this was the fourth time officers had contacted him and he'd taken no action regarding the transfer and vary DPS. The Officers attempted to carry out the licence inspection but didn't get to finish the inspection (CCTV condition not checked) as Mr Arslan became even more aggressive and came round to their side of the counter shouting and swearing at them so they left. He refused to sign the inspection report. The following conditions were not being complied with: Condition 8 - No personal licence holder on site, Condition 9 and 10 - No training records, Condition 11 - No Think 25 poster displayed, Condition 12 - No refusals book, Condition 15 - No sound checks being carried out/documented. **See Appendix CP4.**

Following the visit the officer concerns were raised with Fire Officers, Planning Enforcement, Environmental Health and the Food Team.

26.01.17 - Email to owner attaching posters, training records etc. **Appendix CP5.**

15.02.17 – Licensing Team received a copy of an Enforcement Notice served on the premises by a Fire Officer. **Appendix CP6.** The Enforcement Notice refers to a company called Topsan. A copy of a Company House check can be found as **Appendix CP7.**

20.02.17 – Complaint received from local resident alleging that loud live music from the premises had prevented them from being able to sleep and that the singing went on until after 00:30 (licence only permits live music until 23:00) and that they carried on with the shutters pulled down. The complainant stated that this also happened on Tuesday 14th February when people were coming out of the premises at 3am.

Transfer and vary DPS applications submitted

22.02.17 – Further information received from complainant alleging that people were still inside the premises at 4am that morning with the shutters pulled down, the lights outside were turned off and loud music was audible.

24.02.17 - 00:22 – Out of Hours Licensing Enforcement Officers (VPK/KS) drove past the premises. They could see people standing up at microphones but could not hear any music. Drove by at 00:30, shutters down, could see people inside - lights dim - had to abandon observations as witnessed a three car accident.

27.02.17 – 10:30 - Mr Arslan attended the civic centre to meet with Police Licensing Officer (MFX) and Senior Licensing Enforcement Officer (CPX) in relation to the pending transfer and vary DPS applications and the breach of licence conditions. He had been asked by the police to bring in evidence of compliance with the licence conditions and CCTV footage following the recent allegations of trading after hours. Mr Arslan said that the CCTV had not been working and that he had not realised. He took over the premises 3 months ago and had not checked it. Since he got attacked he has had it fixed. He said all staff know how to use it and that it was fixed 3 days before the meeting so should have been working at the weekend. Mr Arslan said he was not at the premises at the weekend as he was in hospital - MFX requested copies of footage from Friday night. Both officers reiterated that the times and conditions of the licence must be complied with. Mr Arslan was aggressive and argumentative and at one point wanted to start recording the conversation as he didn't like what the officers were telling him. He said that business was not good and that a local resident had said that they would get the place closed down. Officers advised that if the conditions and times were complied with he would have nothing to worry about but that if he didn't comply then the licence could be reviewed and he could be prosecuted. He did not accept that he should not be doing anything licensable unless he was complying with all the conditions. The officers advised him that a minor variation needed to be submitted in relation to the new cooking area in the restaurant. Mr Arslan claimed that he did not receive the previous email from the Officer (CPX) but said that he did have the Think 25 poster up now. The officer advised that they had sent it but would send it again. The officer (CPX) advised Mr Arslan that they were under no legal obligation to provide him with the documents and that it was his responsibility to ensure the conditions were complied with. The Officer (CPX) advised that they had sent them to him to try and help him despite as he put it 'kicking' the officers out of the premises last time. Mr Arslan kept saying that the Officers had to give him time to comply and that they were 'getting at him'. He didn't accept that he'd already had three months and should have ensured they were complied with before using the licence. The Officer (CPX) agreed to send him the link to the minor variation application form. Mr Arslan is not a personal licence holder and claimed not to have any ID on him. He has a DPS but when asked did not know the DPS's his surname. He said that he has too many staff to know their surnames - he said he has 6 staff at this premises and other staff at other premises. He did not bring in any evidence to prove compliance with conditions and claimed that he had not received the email asking him to attend today yet had turned up to the meeting. At the end of the meeting Mr Arslan asked what it was he needed to sign to get the licence. The Officer (CPX) advised him that he was not there to sign anything but to speak to the Police Licensing Officer who would decide whether the licence should be transferred to him. At this point he calmed down and at the end of the meeting shook hands with both officers.

Email resent to Mr Arslan with posters, training records etc. **Appendix CP8.**

Second email sent to Mr Arslan with link to minor variation application form. **Appendix CP9**. To date the plan attached to the licence does not match the actual layout - new cooking area not shown.

Summary

I wish to make representation on the following licensing objectives:

- **Prevention of Crime and Disorder**
- **Public Safety**
- **Prevention of Public Nuisance**
- **Protection of Children From Harm**

Mr Arslan has been un-co-operative, aggressive and threatening towards officers on more than one occasion and has failed to understand or accept the seriousness of breaching the licence conditions. Had the CCTV been working then police could have used this evidence to assist them in catching the those who attacked him. He has been trading at the premises for at least 3 months yet still claimed he should be given more time to comply with the conditions. The way he has run the premises has led to nuisance complaints from local residents in relation to loud music and allegations of trading after hours. His presence has attracted crime and disorder to the area in the form of the known gang members committing a serious assault and guns and knives allegedly being seen. This premises is not a safe environment for member of the public particularly children, nor is it a safe environment for his staff, local residents or officers visiting the premises. The Licensing Authority feels that all 4 of the licensing objectives have been seriously undermined since Mr Arslan started running the business and therefore feels that for the sake of the community the appropriate course of action is to revoke the licence.

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

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk



Signed:

Date: 20/03/2017

Charlotte Palmer

Appendix CP1

From: Charlotte Palmer
Sent: 13 December 2016 11:19
To: 'kanatcienfield@gmail.com'
Subject: 500-504 Hertford Road [SEC=OFFICIAL]

Classification: OFFICIAL

Dear Mr Aslan,

I understand from PC Staff, Police Licensing Officer that you took over the above premises approximately 3 weeks ago. I have also been advised that the annual fee was paid a couple of days ago.

Please be advised that to date the Licensing Team has not received a licence transfer or a vary designated premises supervisor (DPS) application from you. This means that at any time the current licence holder could surrender the licence and the DPS could request their name be removed for the licence meaning you would not legally be able to make any alcohol sales/sell hot food or drink after 23:00/provide entertainment.

Below is a link to the Council's website where you can download a transfer and vary DPS application. I recommend you submit these as soon as possible and ensure you are familiar with the licensed hours, activities and conditions.

<https://new.enfield.gov.uk/services/business-and-licensing/licensing-L-to-P/premises-licence-and-club-premises-certificate/>

I would also like to take this opportunity to make you aware that this premises has a previous history of noise complaints. I recommend that, if you provide any entertainment, you carry out regular sound checks to ensure residents are not affected by noise coming from the premises. This should hopefully ensure that you are able to trade well without complaint.

Regards

Charlotte Palmer
Senior Licensing Enforcement Officer
Environment & Regeneration
Enfield Council
Silver Street
Enfield
EN1 3XY

Tel: 0208 379 3965

Email: charlotte.palmer@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL

REF: WK/216067509

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Appendix CP2

Premises Name	Kanta	
Premises Address	500-504 Hertford Rd EN3 5SS	
Time of Visit:	Start: 19:20	Finish: 19:28

During an inspection of your premises on 20th January 2017, the following was checked:

- Part B of Premises Licence displayed? Yes No
 Address & tel no. of PLH & DPS on licence correct? Yes No (If incorrect, insert new details below)
 Conditions of licence checked? Yes No

No. of condition not in compliance	Evidence/Advice
	We understand that the premises is under new ownership
	You must transfer the licence and vary DPS. Applications may be downloaded from link at bottom of this page.

Any other matter(s) that need addressing: - contact Charlotte Palmer
on 020 8379 3965

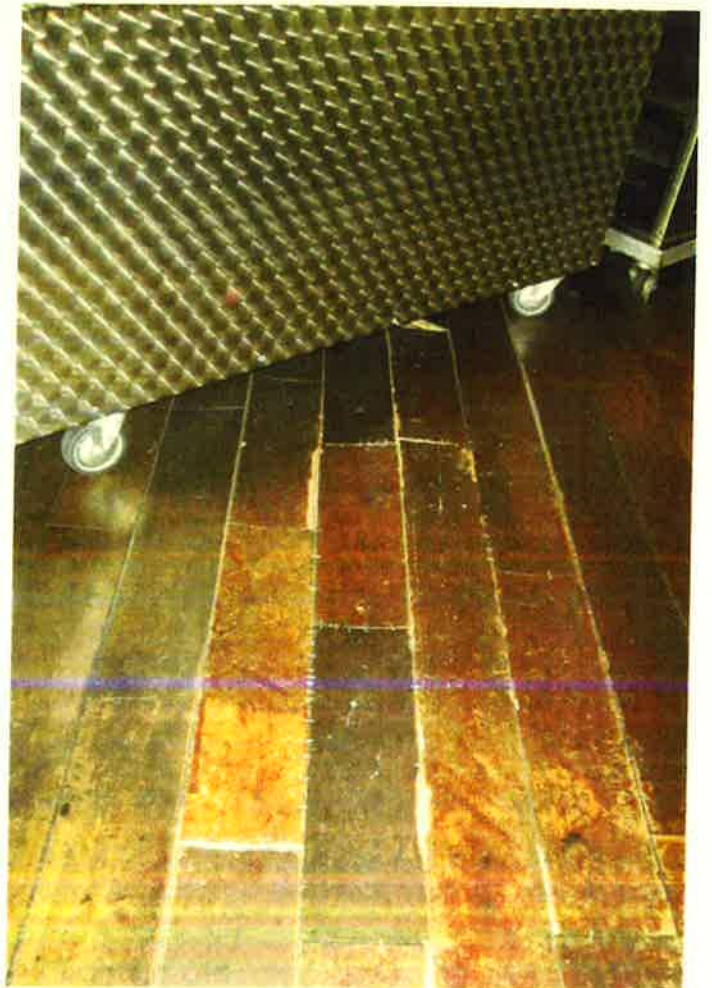
You are required to have the above matters attended to withindays of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

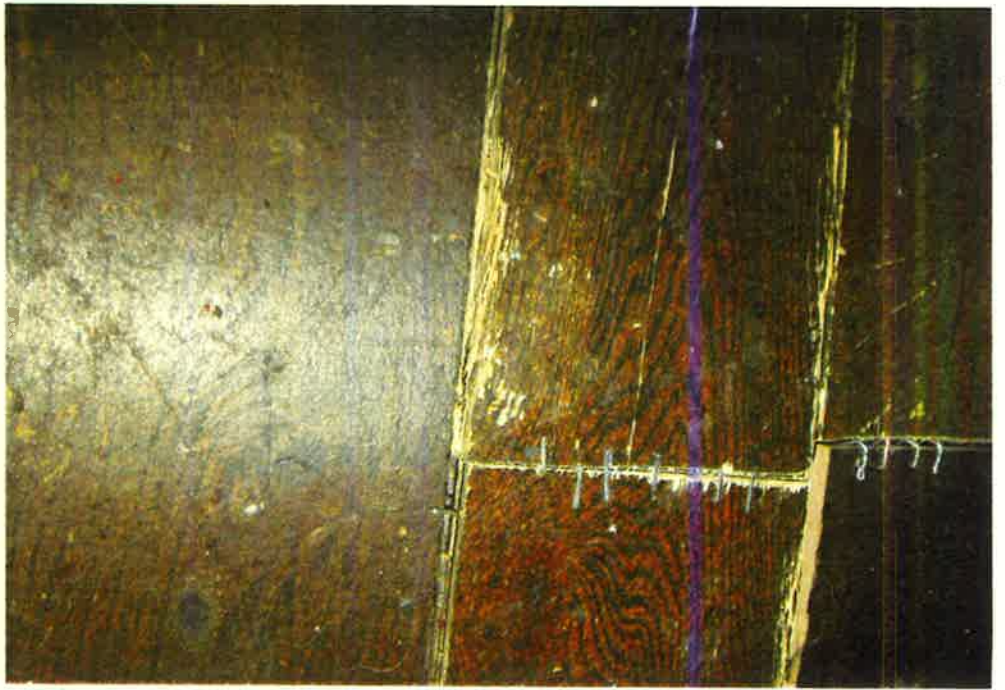
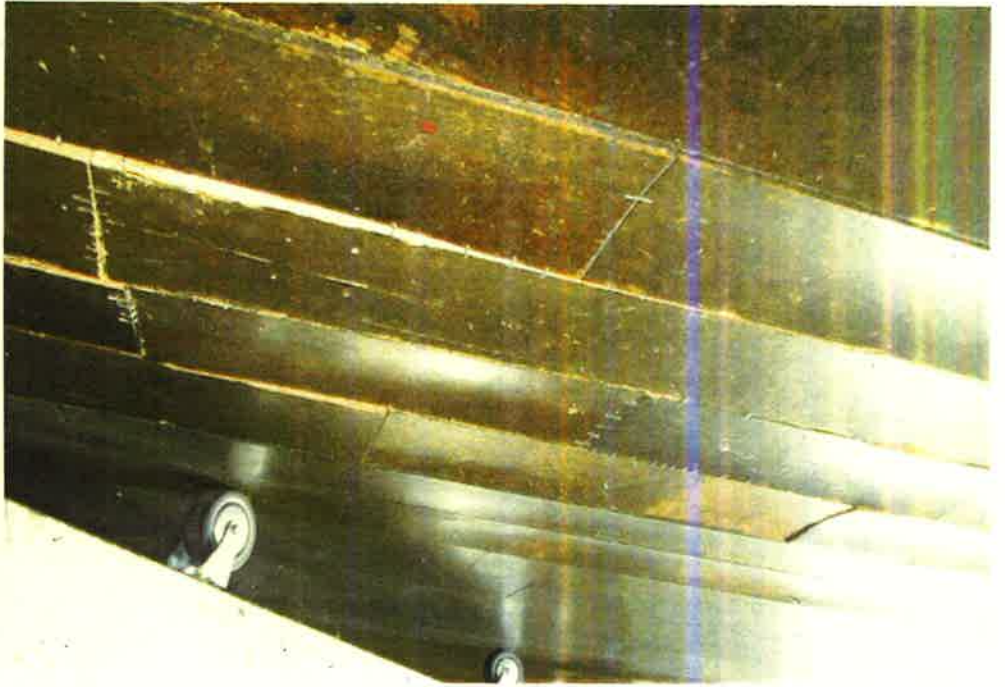
LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: 	Signature: 
Print Name: VICTOR KTORAKIS	Print Name & Position: Deniz Devran
Email/Tel: 020 8379 3602 victor.ktorakis@enfield.gov.uk	Email/Tel:

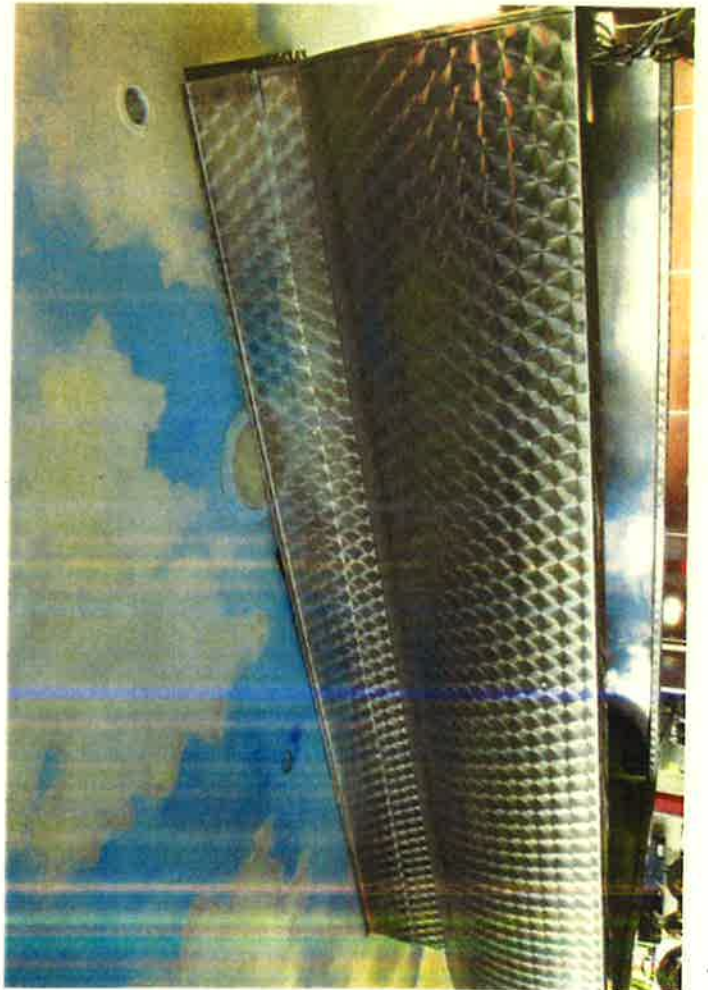
Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>.

Material such as leave quietly signs, training guidance and refusals book is available to download and print at http://www.enfield.gov.uk/downloads/download/2316/compliance_documents









REF: WK/ 216067509

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Appendix CP4

Premises Name	KANATA	
Premises Address	500-504 HERTFORD RD EN3	
Time of Visit:	Start: 1400	Finish: 1430

During an inspection of your premises on 24th JAN 2017, the following was checked:

Part B of Premises Licence displayed? Yes No
 Address & tel no. of PLH & DPS on licence correct? Yes No (If incorrect, insert new details below)
 Conditions of licence checked? Yes No

No. of condition not in compliance	Evidence/Advice
C.8.	No person who works there works a personal
C9/10	No training given and no records held.
C11	No drink ads posters.
C12	No refusal book.
C15	No noise level checks made.

Any other matter(s) that need addressing: ^① There is now grill/coal cooking facility in the main area - will check H & S regs.

^② Fire exit blocked with stools, chairs and a small speaker - advised H & S issue and needs to be clear

^③ Officers will check if plans need updating as cooking area is now in the main seating area.

You are required to have the above matters attended to within 7 days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Signature of Officer on visit: <i>Palmer</i>	Signature: <i>Refused to sign - extremely aggressive - felt very intimidated - recommend</i>
Print Name: CHARLOTTE PALMER	Print Name & Position: <i>only Police visit with</i>
Email/Tel: Charlotte, palmer@enfield.gov.uk 0208 379 3965	Email/Tel: <i>OR / Two other units</i>

Application forms can be downloaded at <https://new.enfield.gov.uk/services/business-and-licensing/>

Material such as leave quietly signs, training guidance and refusals book is available to download and print at http://www.enfield.gov.uk/downloads/download/2316/compliance_documents

This page seriously undermines the public safety objective



Charlotte Palmer

Appendix CP5

From: Charlotte Palmer
Sent: 26 January 2017 11:44
To: 'kanatcienfield@gmail.com'
Subject: Kanata, 500-504 Hertford Road, Enfield [SEC=OFFICIAL]
Attachments: Think 25 poster.doc; Refusals book.doc; Sound Check Everyday.doc; Training book.doc; Info for ON licences 13.11.12 FINAL.doc

Classification: OFFICIAL

Mr Aslan,

Attached are resources which will help you comply with the conditions attached to the premises licence.

Please be advised that failing to comply with any licence condition is a criminal offence which carries an unlimited maximum fine and/or 6 months in prison. It is therefore in your interest to ensure that you can demonstrate compliance with all of the conditions. If you are not complying with all of them then you should not be carrying out any licensable activities.

Regards

Charlotte Palmer
Senior Licensing Enforcement Officer
Environment & Regeneration
Enfield Council
Silver Street
Enfield
EN1 3XY

Tel: 0208 379 3965

Email: charlotte.palmer@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL



**LONDON FIRE
AND EMERGENCY
PLANNING AUTHORITY**

Appendix CP6
Fire Safety Regulation, North West 4 Team
169 Union Street London SE1 0LL
T 020 8555 1200 x89171

Minicom 020 7960 3629
london-fire.gov.uk

Charlotte Palmer
London Borough of Enfield
Environment & Regeneration
Silver Street
Enfield
Middlesex
EN1 3XY

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 15 February 2017

Dear Charlotte Palmer

REGULATORY REFORM (FIRE SAFETY) ORDER 2005 - Article 42

Premises: Kanatci, 500-504 Hertford Road, Enfield, Middlesex, EN3 5SS

The fire authority is required by Article 42 of the Regulatory Reform (Fire Safety) Order 2005 to notify licensing or registration authorities about any enforcement action taken in respect of licensed or registered premises. During a recent inspection of the above-mentioned premises, certain matters were found to be below the required standard and the following formal enforcement action has been taken:

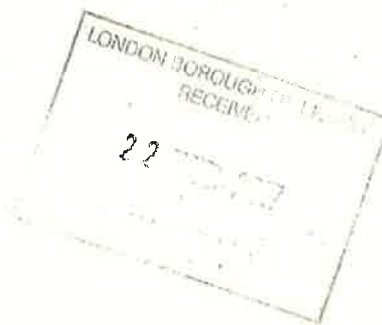
Issue of an Enforcement Notice – copy attached

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,


for Assistant Commissioner (Fire Safety)
Directorate of Operations
FSR-AdminSupport@london-fire.gov.uk

Reply to Brian Anderson
Direct T 0208 555 1200 Ext 38254





**LONDON FIRE
AND EMERGENCY
PLANNING AUTHORITY**

Fire Safety Regulation, North West 4 Team
169 Union Street London SE1 0LL
T 020 8555 1200 x89171

Minicom 020 7960 3629
london-fire.gov.uk

The Company Secretary
Topsan Ltd
500-504 Hertford Road
Enfield
Middlesex
EN3 5SS

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 15 February 2017
Our Ref 32/011754/ere

ENFORCEMENT NOTICE

Notice requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005

TO :

Name: **Topsan Ltd**

Address: **500-504 Hertford Road, Enfield, Middlesex EN3 5SS**

Concerning Premises at: **Kanatci, 500-504 Hertford Road, Enfield, Middlesex, EN3 5SS**

I Dan Daly, Assistant Commissioner (Fire Safety Regulation) on behalf of the London Fire & Emergency Planning Authority (the Authority) hereby give you notice that the Authority is of the opinion that you, as a person being under an obligation to do so, have failed to comply with the duties placed upon you by the Regulatory Reform (Fire Safety) Order 2005 (the Order) in respect of the above named premises, the relevant persons who may be on the premises or who may be affected by a fire on the premises.

The matters which, in the opinion of the Authority, constitute the failure(s) to comply with the Order are specified in the Schedule of Fire Safety Observations attached to this notice. The Authority is further of the opinion that the steps identified in the schedule to this notice must be taken to remedy the specified failure(s) and comply with the Order.

The relevant extracts of the legislation are attached.

There may be suitable alternative safety measures, to those detailed in this notice that would meet the requirements of the order. If you wish to propose or discuss any alternative measures you should contact the person named below, before you take any action, to ensure that your proposed measures will be deemed satisfactory by the Authority.

The steps must be taken by **10 May 2017** (or such extension if granted by the Authority).

Unless the steps identified in the schedule attached to this notice have been complied with, or such other steps are taken to remedy the failures in consultation with the Authority, you will be deemed not to have complied with this notice.

If you fail to comply with the requirements of this notice, you may have committed an offence. The Authority may consider a prosecution against you. If you are found guilty, you will be liable to a fine or imprisonment (or both).

You have the right to appeal against this notice, by way of complaint for an order, to the Clerk to the Court of the Magistrates' Court acting for the petty sessions area in which your premises is located. If you wish to bring an appeal, you must do so within 21 days of the date this notice is served on you. The Magistrates' Court Act 1980 will apply to the proceedings. The bringing of an appeal will suspend the operation of this enforcement notice. An appeal against an enforcement notice served under Article 30 of the Regulatory Reform (Fire Safety) Order 2005, may be brought on any grounds. These may include that you are aggrieved:

- a) by anything mentioned in the notice with respect to the premises concerned, or the relevant persons as defined by the Order, being a step which must be taken in order to comply with the Order; or
- b) by the period allowed by such a notice for the taking of any steps mentioned in it.

If at any time you wish to discuss the requirements of this notice, or are experiencing difficulty in carrying out the work, please contact **Brian Anderson**.

Signed:



Dated: 15 February 2017

Assistant Commissioner
(The Officer appointed for the purpose)

The contents of this notice are without prejudice to any requirements or recommendations that may be made by the Authority under the Petroleum (Consolidation) Regulations 2014, or either the local authority or the Health and Safety Executive under any other Act of Parliament or Regulation for which they are the enforcing authority. Approval will normally be required under the Building Regulations for any building works for which you are obliged to notify the local Building Control Officer under the Building Regulations 2010 or an Approved Inspector under the Building (Approved Inspectors etc) Regulations, 2010.

Reply to Inspecting Officer Brian Anderson
Direct T 020 8555 1200 Ext. 38254

Encl: FS03_01a
FS03_01b
FS03_01c
FS03_06
GN 66

cc. Charlotte Palmer, London Borough of Enfield, Environment & Regeneration, Silver Street, Enfield, Middlesex, EN1 3XY

ENVIRONMENT AND SAFETY INFORMATION ACT 1988
SECTION 4 - PROTECTION OF TRADE SECRETS

The above Act requires the London Fire and Emergency Planning Authority to maintain public registers of notices issued under Article 30 of the Regulatory Reform (Fire Safety) Order 2005, (other than those which impose requirements or prohibitions solely for the protection of persons at work) and Sections 21 and 22 of the Health and Safety at Work etc, Act 1974.

Provisions are made within the Act for persons on whom the above notices are served to appeal against any proposed entry in the register which may disclose "trade secrets" or "secret manufacturing processes".

Entries in the register are required to be made after the period for appeal against the notice expires or after any appeal is disposed of.

If you feel that any such entry would disclose information about a trade secret or secret manufacturing process you may write to the Fire Authority within a period of 14 days following the service of the notice, requesting exclusion of these details (see Section 4 of the 1988 Act).

Notes relating to Schedule of Fire Safety Audit Observations attached to this notice.

Important information to consider before taking remedial steps:

1. Words written in BLOCK CAPITALS in the attached schedule are standard terms defined in "Definitions of standard terms used in means of escape requirements" which form part of this schedule.
2. Officers of the Authority may visit your premises during the course of the notice, to ensure the dates within this plan are being followed.
3. Notwithstanding any consultation undertaken by the fire authority, **before** you make any alterations to the premises, **you** must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.
4. There may be suitable alternative safety measures to those detailed in the attached schedule, which would meet the requirements of the Order. If you wish to propose or discuss any alternative measures you should get in touch with the person named as the contact above, before you take any action, to ensure that your proposed measures are deemed satisfactory by the Authority.
5. Remedial steps must be undertaken by a competent person who has sufficient training, experience, knowledge or other qualities to enable him or her to properly undertake them.
6. We recommend that remedial steps are undertaken in accordance with the appropriate British or European Standards, or recognised industry guidance.



SCHEDULE OF FIRE SAFETY AUDIT OBSERVATIONS

FILE 32/011754/ere
REFERENCE:

OCCUPIER/AGENT: Topsan Ltd

ADDRESS: Kanatci
500-504 Hertford Road
Enfield
Middlesex
EN3 5SS

Article	Issue	Action(s) to be taken
Article 9(1)	At the time of the audit you did not provide evidence that a fire risk assessment had been undertaken.	Carry out a fire risk assessment. (See guidance note No.66) In particular take into account the risks to staff and customers, risks to those sleeping upstairs who may need to use rear escape route and the necessary means of giving warning and detection. The premises should be limited to a maximum of 60 people.
Article 11	At the time of the audit your preventative and protective measures had not been planned, organised, controlled monitored or reviewed where required. It was found that the rear yard was being used as a storage area for loose rubbish and charcoal.	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed. Combustible materials should be removed or stored in appropriate containers, ie charcoal could be stored in a covered steel container/box.
Article 17(1)	At the time of the audit you had not ensured that a suitable system of maintenance was in place in your premises. It was found that the fire extinguishers had not been serviced since November 2015 and there was no evidence that the emergency lighting had been tested or maintained.	Arrange initial and on-going maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by having the fire extinguishers serviced or replaced and by having the emergency lighting tested and certified by an electrician. The fire extinguishers should then be serviced regularly (e.g. yearly), and the emergency lighting should be regularly tested (e.g. monthly) and serviced (e.g. yearly).
Article 21	At the time of the audit your employees had not been provided with adequate safety training. It was found that no training had been provided.	Provide your staff with adequate safety training. In particular no training had been provided on the actions to be taken in the event of a fire (the emergency plan) and the safe use of fire extinguishers (including the Wet Chemical extinguisher in the kitchen).

Article 14	<p>At the time of the audit the emergency routes or exits were inadequate. It was found that:</p> <ol style="list-style-type: none"> 1. The escape route through the rear yard is not being kept clear. 2. The restaurant floor is uneven in places and presents a trip hazard. 	<p>Ensure adequate emergency routes and exits, for use by relevant persons in the premises, are available and can be safely and effectively used at all relevant times. This can be achieved by:</p> <ol style="list-style-type: none"> 1. Ensuring the rear escape route is kept clear of combustible materials. 2. Ensuring the restaurant floor is repaired and does not cause a trip hazard.
Article 13(1)	<p>At the time of the audit you had not provided an appropriate method of fire detection and warning within your premises. It was found that there was no means of giving warning to occupants in the restaurant and no detection to provide warning of fire to occupants on the first floor.</p>	<p>Provide an appropriate means of fire detection and giving warning. This can be achieved by providing a fire alarm system with appropriate detection in the ground floor restaurant area and linked to smoke detection on the first floor area.</p>
Article 13(3)	<p>At the time of the audit the provision of manual fire fighting equipment was not appropriate. It was found that the fire some of the fire extinguishers provided were not in appropriate locations and some were not of a type appropriate to the risk.</p>	<p>Ensure that fire fighting equipment is appropriate to risk, easily identifiable and available at all material times. This can be achieved by providing appropriate extinguishers (e.g. water or foam, paired with carbon-dioxide) hung on brackets or placed on stands, in appropriate locations, including the first floor.</p>
Article 15(1)	<p>At the time of the audit your procedures to be followed in the event of serious and imminent danger were inadequate. It was found that an emergency procedure had not been established.</p>	<p>Adequate procedures for serious and imminent danger and for danger areas should be established and followed. This can be achieved by producing a written emergency procedure and a diagram showing the escape routes.</p>



Companies House

**Current Appointments Report for:
TOPSAN LTD
10523609**

Created: 20/03/2017 11:05:07

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

Company Register Information

Company Number:	10523609	Date of Incorporation: 13/12/2016
Company Name:	TOPSAN LTD	
Registered Office:	500-504 HERTFORD ROAD ENFIELD UNITED KINGDOM EN3 5SS	
Company Type:	Private Limited Company	
Country of Origin:	United Kingdom	
Status:	Active	
Nature Of Business (SIC):	63990 - Other information service activities not elsewhere classified	
Number of Charges:	(0 outstanding / 0 part satisfied / 0 satisfied)	

Previous Names

No previous name information has been recorded over the last 20 years.

Key Filing Dates

Accounting Reference Date:	31/12
Last Accounts Made Up To:	(NO ACCOUNTS FILED)
Next Accounts Due:	13/09/2018
Last Return Made Up To:	
Next Confirmation Statement Due:	26/12/2017
Last Bulk Shareholders List:	Not available

Current Appointments

Number of current appointments: 1

DIRECTOR:	ARSLAN, MUSTAFA MR	
Appointed:	13/12/2016	Date of Birth: **/09/1979
Nationality:	BRITISH	
No. of Appointments:	1	
Address:	500-504 HERTFORD ROAD ENFIELD UNITED KINGDOM EN3 5SS	
Country/State of Residence:	UNITED KINGDOM	

This Report excludes resignations

Recent Filing History

Documents filed since 13/12/2016

DATE	FORM	DESCRIPTION
13/12/2016	NEWINC	CERTIFICATE OF INCORPORATION GENERAL COMPANY DETAILS & STATEMENTS OF OFFICERS, CAPITAL & SHAREHOLDINGS, GUARANTEE, COMPLIANCE MEMORANDUM OF ASSOCIATION ARTICLES OF ASSOCIATION
13/12/2016	LATEST SOC	13/12/16 STATEMENT OF CAPITAL; GBP 100

This Report excludes 88(2) Share Allotment documents

Charlotte Palmer

Appendix CP8

From: Charlotte Palmer
Sent: 27 February 2017 15:32
To: kanatcienfield@gmail.com
Subject: FW: Kanatci, 500-504 Hertford Road, Enfield [SEC=OFFICIAL]
Attachments: Think 25 poster.doc; Refusals book.doc; Sound Check Everyday.doc; Training book.doc; Info for ON licences 13.11.12 FINAL.doc

Classification: OFFICIAL

Dear Mr Aslan,

Please see email below and attachments which I sent to you on 26th January 2016.

Regards

Charlotte

From: Charlotte Palmer
Sent: 26 January 2017 11:44
To: 'kanatcienfield@gmail.com'
Subject: Kanata, 500-504 Hertford Road, Enfield [SEC=OFFICIAL]

Classification: OFFICIAL

Mr Aslan,

Attached are resources which will help you comply with the conditions attached to the premises licence.

Please be advised that failing to comply with any licence condition is a criminal offence which carries an unlimited maximum fine and/or 6 months in prison. It is therefore in your interest to ensure that you can demonstrate compliance with all of the conditions. If you are not complying with all of them then you should not be carrying out any licensable activities.

Regards

Charlotte Palmer
Senior Licensing Enforcement Officer
Environment & Regeneration
Enfield Council
Silver Street
Enfield
EN1 3XY

Tel: 0208 379 3965

Email: charlotte.palmer@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL

Classification: OFFICIAL

Charlotte Palmer

Appendix CP9

From: Charlotte Palmer
Sent: 27 February 2017 16:34
To: kanatcienfield@gmail.com
Subject: Minor Variation Application [SEC=OFFICIAL - SENSITIVE]

Classification: OFFICIAL - SENSITIVE

Dear Mr Arslan,

As promised please find below a link to the council's website where you can download the minor variation application you need:

<https://new.enfield.gov.uk/services/business-and-licensing/licensing-L-to-P/premises-licence-and-club-premises-certificate/>

Regards

Charlotte Palmer
Senior Licensing Enforcement Officer
Environment & Regeneration
Enfield Council
Silver Street
Enfield
EN1 3XY

Tel: 0208 379 3965

Email: charlotte.palmer@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL - SENSITIVE

£23
Reid
20/2/17
06569

Application to transfer 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 MUSTAFA ARSLAN
(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

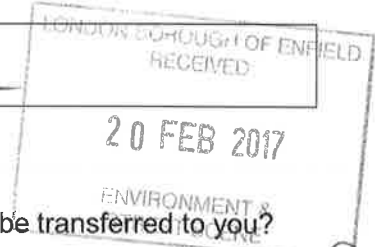
Premises licence number LN/201400350

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>TOPSAN LTD. T/A KANATCI 500-504 HERTFORD ROAD ENFIELD</u>	
Post town <u>LONDON</u>	Post code <u>EN3 5SS</u>
Telephone number at premises (if any) <u>0208 804 3060</u>	

Please give a brief description of the premises
RESTAURANT & TAKE-AWAY, SUPPLY OF ALCOHOL BY RETAIL ON AND OFF THE PREMISES

Name of current premises licence holder
MR. ERDOGAN GURGUR



Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

- | | |
|---|---|
| a) an individual or individuals* | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |

Post.

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England 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 Mrs Miss Ms Other title
(for example, Rev)

Surname

ARSLAN

First names

MUSTAFA

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

30 MAPELTON ROAD
ENFIELD

Post town

LONDON

Post code

EN1 3PE

Daytime contact telephone number

07453536400

**E-mail address
(optional)**

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

**Current postal
address if
different from
premises
address**

Post town

Post code

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) thbuthb
Telephone number (if any)
E-mail address (optional)

Part 3

Please tick yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please tick yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

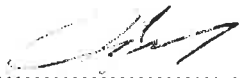
- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I understand that if I do not comply with the above requirements my application will be rejected

PP
PP
PP

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 2)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 3). **If signing on behalf of the applicant please state in what capacity.**

Signature 
.....

Date 16.02.2017
.....

Capacity DIRECTOR
.....

For joint applicants signature of 2nd applicant, 2nd applicant’s solicitor or other authorised agent (please read guidance note 4). **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 5)	
BUSINESS TRAINING LINE (UK) LTD 3 WINDSOR CLOSE, CRESHUNT WALTHAM CROSS	
Post town HERTS	Post Code ^{th utrh} EN7 5LW
Telephone number (if any) trhj but 07813101092	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) btline @ btline.co.uk	

Consent of premises licence holder to transfer

I/we MR. ERDOGAN GURGUR

[full name of premises licence holder(s)]

the premises licence holder of premises licence number LN/201400350

[insert premises licence number]

relating to

TOPSAN LTD. T/A KANATCI, 500-504

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

HERTFORD ROAD, ENFIELD, LONDON EN3 5SS

hereby give my consent for the transfer of premises licence number

LN/201400350

[insert premises licence number]

to

MR. MUSTAFA ARSLAN

[full name of transferee].

signed

name

(please print)


ERDOGAN GURGUR

dated

16-02-2017

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

LICENSING SUB-COMMITTEE - 8.3.2017

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 8 MARCH 2017****COUNCILLORS****PRESENT** (Chair) Derek Levy, Bambos Charalambous and Glynis Vince**ABSENT****OFFICERS:** Ellie Green (Principal Licensing Officer), Charlotte Palmer (Senior Licensing Enforcement Officer), Dina Boodhun (Legal Services Representative), Jane Creer (Democratic Services)**Also Attending:** Mr Michael Rogers, Counsel, instructed by Gulsen & Co Solicitors
Mr Mehmet Kolo, Premises Licence Holder, Ordnance Supermarket
Mr Hasan Eren, Translator, Bluedots Translation Services**371****WELCOME AND APOLOGIES FOR ABSENCE**

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

372**DECLARATION OF INTERESTS**

NOTED that there were no declarations of interest.

373**LEFKE SOCIAL CLUB, 281 HERTFORD ROAD, LONDON, N9 7ES
(REPORT NO. 242)**

NOTED that the application was no longer valid as a transfer application had been submitted and issued successfully to the new premises licence holder.

374**ORDNANCE SUPERMARKET, 115 ORDNANCE ROAD, ENFIELD, EN3
6AF (REPORT NO. 243)**

LICENSING SUB-COMMITTEE - 8.3.2017

RECEIVED the application made by the Licensing Authority for the review of the Premises Licence LN/200500760 held by Mr Mehmet Kolo at the premises known as and situated at Ordnance Supermarket, 115 Ordnance Road, Enfield, EN3 6AF.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
 - a. Mr Mehmet Kolo had been the Designated Premises Supervisor (DPS) and Premises Licence Holder (PLH) since January 2016.
 - b. The current Premises Licence permitted 24 hours daily opening, and alcohol off sales from 08:00 to 23:00 Monday to Saturday and 10:00 to 22:30 on Sunday. The licence conditions were set out on pages 61/62 of the agenda pack.
 - c. On 13/01/17 an application was made by the Licensing Authority for the review of the Premises Licence, in relation to the prevention of crime and disorder licensing objective as the premises had been found to be supplying illicit goods (tobacco) on two occasions within three months. The Licensing Authority considered that it was now appropriate, for the promotion of the licensing objectives, to revoke the licence. The review application was set out on page 65 of the agenda pack.
 - d. The review application was supported by the Metropolitan Police Service. The Police representation was set out on page 103 of the agenda pack. Unfortunately PC Kathy Staff was unable to attend this hearing due to illness.
 - e. In response to the review application, a statement and supporting evidence was received from Mr Kolo, from page 105 of the agenda pack, via the agent Gulsen & Co Solicitors.
 - f. Mr Kolo was in attendance at this hearing, represented by Mr Michael Rogers, Counsel, and with an interpreter.

2. The statement of Charlotte Palmer, Senior Licensing Enforcement Officer, including:
 - a. The reason for bringing this review was not because of a breach of conditions of the licence, but because Police had witnessed people coming into the premises and asking for the cheap cigarettes in March 2016.
 - b. A warning letter was sent to the premises 24/03/16, as set out in Appendix 2 of the report. Despite this warning, a sale of non-duty paid cigarettes was made in a test purchase by a plain clothes police officer. The cigarettes were taken from the tobacco sales display behind the normal cigarettes.
 - c. A minor variation application was submitted following this, to strengthen licence conditions voluntarily. In the minor variation letter of 20/10/16 as set out in Appendix 6a-b, there was a further warning in respect of future conduct. It was advised that should further similar offences be

LICENSING SUB-COMMITTEE - 8.3.2017

- committed at the premises, the Licensing Authority would take immediate action in order to have the premises licence permanently revoked and/or to prosecute.
- d. Despite this, non-duty paid goods, with Polish markings, were found in the pockets of the PLH on 06/12/16 during a search by council officers, HMRC officers and sniffer dogs. The amended licence had not even been issued before the next lot of non-duty paid tobacco was found: the PLH was not expected to be working with a pocket full of non-duty paid goods. On 06/12/16 Mr Kolo agreed to provide the CCTV footage. He denied the allegation that items were thrown over the wall outside the premises. Having CCTV was not a licence condition.
 - e. Mr Kolo stated that on only one occasion were non-duty paid cigarettes sold. It should be noted that DCMS guidance was that where reviews arose and the licensing authority determined that the crime prevention objective was being undermined through the premises being used to further crimes, it was expected that revocation of the licence – even in the first instance – should be seriously considered.
 - f. A licence had previously been revoked for the same premises, and there must have been awareness of this. Mr Kolo had shown a disregard for the law. The Licensing Authority no longer had confidence in those running the premises and recommended revocation of the licence.
3. Charlotte Palmer responded to questions including:
 - a. In response to the Chair's query regarding the time of the appeal against the decision in September 2015, Charlotte Palmer advised that parties were at the court when the agreement was made between the two parties. She had been in attendance, but the discussions mainly involved Legal representatives. In the background there was discussion in respect of the licence being transferred to someone else.
 - b. The Chair referred to the email from Gulsen & Co Solicitors to Martyn Fisher on 07/09/15, and Charlotte Palmer advised that she interpreted the phrase "as such Mr Ibrahim Korkmaz will have no involvement in the business whatsoever" to mean that Mr Korkmaz would not work at the premises, and would have absolutely no connection with the business; any involvement with the business by Mr Korkmaz in any capacity would terminate as of the time of suspension of the licence in 2015.
 4. The statement of Mr Michael Rogers, Counsel, on behalf of Mr Mehmet Kolo, PLH / DPS, including:
 - a. The basis of the application was not focussed on any allegation of breach of licensing conditions, and so his statement would not address any mention of conditions.
 - b. The 2015 revocation decision occurred when the premises was owned and operated by a different individual: Mr Baris Salman. Mr Kolo became involved later, when it was suggested he became DPS when the letter in Appendix 1 was written. Mr Ibrahim Korkmaz had been a

LICENSING SUB-COMMITTEE - 8.3.2017

personal licence holder and had worked at the premises, but was not the DPS at the time the review was submitted in October 2014. Ellie Green clarified that from July 2005 Mr Salman was DPS and that Mr Korkmaz and Mr Salman were joint Premises Licence holders.

- c. Mr Kolo purchased the business from Mr Salman. Mr Kolo understood that Mr Korkmaz was an employee and would continue to be employed by the business, as described in the witness statement of Mr Kolo (Annex 05). The purchase was made in January 2016 but was formally completed in March 2016.
- d. For clarification requested by the Chair, it was confirmed that up to the point of appeal in September 2015, Mr Korkmaz and Mr Salman were the PLH's named on the licence. Mr Korkmaz worked in the premises and was named on the licence.
- e. After Mr Kolo took over the business in 2016, Mr Korkmaz was no longer named on the licence, but he continued to be employed there. The witness statement described that Mr Korkmaz was known to Mr Kolo as he was his sister's partner and the three lived at the same address. Mr Kolo did not have any specific concerns regarding Mr Korkmaz at that time or since.
- f. For clarification requested by the Chair, it was advised that at the time of the original transfer application in September 2015 the Police had concerns in respect of Mr Kolo and his relationship to Mr Korkmaz, and the email from the solicitor was sent on 07/09/15. However, that transfer application was withdrawn. A second transfer application was granted on 26/01/16. The solicitors' email was in respect of a transfer that did not subsequently proceed, and that undertaking expired. If the intention of the Licensing Authority was that Mr Korkmaz should have no involvement with the business, a condition to that effect would have been expected on the licence.
- g. Mr Kolo, having had the opportunity to consider all the correspondence, accepted that it was unwise to continue to employ Mr Korkmaz, but has had no difficulties with him in the shop.
- h. On 21/09/16 a test purchase took place. Mr Kolo dealt with that in para 9 of his witness statement. He established that the member of staff present on that day was Mr Duran Haligur, who sold the illicit tobacco. Mr Kolo took immediate disciplinary action, giving a final oral warning so that Mr Haligur was in no doubt that if he sold any other illicit material he would be dismissed. There had not been any repeat of that behaviour and so Mr Haligur continued to be employed.
- i. There had been a number of visits to the premises, on 23/09/16, 14/10/16 and 02/12/16 and on each of those occasions there was no sale of illicit tobacco identified. That was because Mr Kolo took appropriate measures with his employees and with his obligations.
- j. The occasion of 06/12/16 was dealt with in para 12 of Mr Kolo's witness statement. Mr Kolo had been out of the premises when the inspection started, and arrived at the premises half way through the search and spoke to officers. He had been to the cash and carry that day. He accepted that he had tobacco on him and packets of cigarettes

LICENSING SUB-COMMITTEE - 8.3.2017

that he had purchased earlier in the day for the consumption of himself and his sister. There was no suggestion of any sale to an under cover officer. The allegations made by the dog handler were difficult to analyse as there was no further detail. Mr Kolo had advised that it was common for staff to dispose of boxes by taking them out of the shop and taking them elsewhere for appropriate disposal. That is what he believed his staff were doing that day: disposing of boxes, and there was nothing untoward about that. Officers asked Mr Kolo for the keys to the van, which he provided. The van was searched and nothing was found of interest. The Licensing Authority representation additional information also mentioned a car belonging to Mr Okkes Karakil, which seemed to refer to a different vehicle. Mr Kolo had confirmed that Mr Karakil had been employed at the shop previously and lived above the premises and had advised that Police should contact him directly if they wanted to search the vehicle. References to staff denying having a key to that car were not surprising if it was Mr Karakil's car. A box in the storage area identified by the sniffer dog contained empty tobacco wrappers and there was nothing prohibited or untoward in that. An officer had requested CCTV footage. Even though he was under no obligation, Mr Kolo had 13 cameras and retained recordings for 30 days, and on 13/12/16 he provided footage as requested. He heard nothing more until January 2017 and at that stage any further CCTV footage from 06/12/16 had been destroyed, which was not unreasonable. Mr Kolo had advised that he did not receive an email to request further footage.

- k. Mr Kolo had taken swift disciplinary action against an employee found to be selling illicit tobacco, and he had explained what had taken place on 06/12/16. On that visit there was no evidence of any individuals selling any illicit tobacco in the shop. There was no breach of any licensing requirements.
 - l. Mr Kolo accepted the importance of the DCMS guidance and supported the licensing objectives.
 - m. In respect of the Licensing Sub Committee, the steps taken should be an appropriate and proportionate response. He would suggest that revocation of the licence would not be a proportionate response in these circumstances. In the alternative the sub-committee could consider suspension of the licence for a period of time not exceeding three months. If the sub-committee were minded to suspend the licence he would suggest suspension on the basis that the DPS was changed; that conditions in respect of CCTV as set out on page 71 of the agenda pack were added to the licence; and if there were still concerns regarding Mr Korkmaz, that a condition be added that he was not to be employed at the premises.
5. Mr Rogers and Mr Kolo (with interpretation assistance) responded to questions as follows:
- a. In response to Councillor Charalambous' queries regarding the test purchase on 21/09/16 and discrepancies between Mr Kolo's witness

LICENSING SUB-COMMITTEE - 8.3.2017

- statement and officers' description, Mr Rogers advised that he had checked with Mr Kolo that he had full understanding. Mr Kolo had investigated what happened, and the reference to "from Mr Haligur's personal use" related to where the cigarettes came from. Mr Haligur brought them into the shop. Mr Kolo did not dispute that the officer found the employee selling the cigarettes and these were on the display behind the normal cigarettes. The reference to personal use meant that the employee brought them into the shop himself, but Mr Kolo was not there at the time and there was no further evidence.
- b. In response to Councillor Charalambous' query regarding the officer visit on 06/12/16, it was advised that Mr Kolo accepted that he had non-duty paid cigarettes purchased that day, but he had no intention of selling them in the shop: they were for his and his sister's personal use. The Chair asked if Mr Kolo had a receipt from where these cigarettes were purchased from. It was advised that Mr Kolo had paid in cash for those cigarettes and was not given a receipt.
 - c. Councillor Charalambous asked if the business had a contract for its waste disposal, and how it usually disposed of waste. It was advised that the shop did have a contract with a waste disposal company but it involved them picking up waste every fortnight. Mr Kolo believed that on 06/12/16 employees were taking boxes to be recycled nearby.
 - d. Councillor Vince noted that Mr Kolo's English language use was limited and asked about his understanding of documents and the witness statement. Mr Rogers presumed that the documentation was translated back to him by an interpreter: this would be the normal arrangement. In response to further queries, it was advised that Mr Kolo was undertaking English tuition 3 hours per week. He arrived in the UK in August 2015 and was seeking to improve his English. When communicating with Police or Licensing Authority officers he was assisted by others employed in the shop whose English was better.
 - e. With reference to the refusals book and who made the entries, it was advised that most of the time Mr Kolo completed the entries in the book and understood them. Sometimes another employee filled in the book, but Mr Kolo checked it. Mr Kolo could not be on the premises at all times, and there may be use of the refusals register when he was not in the shop. Charlotte Palmer confirmed that the wording of the condition would normally require the DPS to look at the refusals book regularly to ensure it was being completed, and sign it off and review to look for any patterns and highlight them with staff. It was noticed that some signatures in the register did look different. The last column should show the name of the person who made the refusal.
 - f. The Chair asked Mr Kolo how long Mr Korkmaz had been the partner of Mr Kolo's sister: this was confirmed as 8 years.
 - g. The Chair asked how long Mr Kolo, his sister, and Mr Korkmaz had lived at their shared address: this was confirmed as since Mr Kolo arrived in the country.
 - h. In response to a further query regarding Mr Kolo's knowledge of Mr Korkmaz's lengthy term as licence holder at the premises, Mr Rogers

LICENSING SUB-COMMITTEE - 8.3.2017

advised that Mr Kolo would have been aware when he arrived in the country but he was unable to confirm if he had knowledge at an earlier stage.

- i. In response to a further query regarding Mr Kolo's knowledge of the previous revocation of the licence and its circumstances, given Mr Kolo's application later withdrawn, it was confirmed that Mr Kolo accepted that he was aware of the revocation, but he was not aware of the full details of the appeal or of non-duty paid goods. Mr Kolo confirmed that he had been aware the licence was revoked but did not know the reasons for it at the time, but he did know now.
- j. The Chair queried the answers, highlighting that Mr Kolo made his application during the appeal period to take over the licence and become DPS, but moved on without response, and expressed that answers were not being given in sufficient time.
- k. The Chair highlighted Mr Korkmaz's role at the licensing inspection visit and that he would expect the PLH to take responsibility in dealing with such a visit. Mr Rogers advised that the way it was described, Mr Kolo was serving in the shop at the time and relied on Mr Korkmaz to interpret. Mr Kolo would have been speaking, but as officers were using English, he would have been relying on interpretation from a colleague.
- l. The Chair asked where Mr Kolo had bought the cigarettes which were found on his person on 06/12/16. It was advised they were bought in the parking lot in front of the cash and carry. It was not suggested they were from a legitimate seller. They were not purchased from the cash and carry.
- m. The Chair highlighted that by December 2016, Mr Kolo had been PLH for a year, and questioned his wisdom in purchasing cigarettes with Polish markings. Mr Rogers did not think that was a question that Mr Kolo could answer, but confirmed that Mr Kolo understood that cigarettes purchased in this country must be labelled in English and be duty paid.
- n. In response to the Chair's direct queries, Mr Kolo advised that he personally smoked a pack of 20 cigarettes per day and that his sister smoked about the same amount.
- o. The Chair asked why 17 packets of cigarettes were in his pocket on 06/12/16. Mr Kolo advised that he had intended to take them home to smoke at a later date.
- p. The Chair noted that cigarettes were openly available to Mr Kolo from the shop, and queried why he had made a purchase of cigarettes with Polish labelling with no receipt. It was advised that Mr Kolo accepted he had made a mistake: he had been tempted to purchase an inappropriate product for his own use. He had nothing further to add in respect of the choice not to utilise shop stocks.
- q. The Chair raised the description in Mr Kolo's witness statement of the 02/12/16 visit by "the Trading Standards Team / HMRC", but this was in fact a plain-clothed Police officer visit. Mr Rogers considered that Mr

LICENSING SUB-COMMITTEE - 8.3.2017

- Kolo may have been notified subsequently, but having been party to the visit would have likely known the difference.
- r. The Chair queried whether Mr Kolo was at work on 06/12/16 as his statement described him outside the premises on the way home. It was clarified that Mr Kolo had been to the cash and carry and was not at the premises. Mr Kolo had returned to the premises on his way home, but was not the person serving that day.
 - s. In response to Charlotte Palmer's direct queries about the brands of cigarettes he smoked, Mr Kolo advised it was Marlboro; sometimes Red and sometimes Light. His sister smoked hand rolling tobacco Amber Leaf brand. In response to further queries, Mr Kolo said he had three sisters and that he was just buying tobacco for one sister.
 - t. Charlotte Palmer asked why Mr Kolo had bought three types of rolling tobacco and two types of cigarettes. Mr Kolo responded that the person who had offered them for sale had them all in his hand and he had purchased them all. Brands smoked could be changed sometimes and did not have to be the same. The price was low and that is why he bought the goods.
 - u. Charlotte Palmer asked about incidents on 06/12/16 when the dog handler witnessed staff throwing boxes over the wall and put into a car outside, but the car keys were not available to provide to officers when requested. Mr Kolo advised that staff did not put anything into a car, but that empty boxes were thrown out to the back yard.
 - v. Charlotte Palmer raised that the hearing had been told that boxes were taken to be recycled and asked for more details of procedures. Mr Kolo advised that boxes were given to a recycling person who collected them, and the boxes were stored out at the back.
6. The summary statement of Ellie Green, Principal Licensing Officer, including:
- a. Having heard the verbal submissions, it was for the sub-committee to consider such steps as it considered appropriate for the promotion of the licensing objectives. The steps were set out on page 56 of the report.
 - b. Relevant guidance was highlighted on page 55 of the report.
 - c. It was confirmed that on behalf of Mr Kolo, an additional possibility had been suggested by Mr Rogers of a suspension of the licence, a change to the DPS, and voluntary acceptance of additional conditions.
7. The summary statement of Charlotte Palmer, Senior Licensing Enforcement Officer, including:
- a. Other than a condition in respect of CCTV, this premises licence already included all conditions which the Licensing Authority would seek.
 - b. The issues at the premises did not just concern a rogue member of staff. The PLH/DPS was wearing a coat full of non-duty paid tobacco: this undermined the licensing objectives and any staff training and discipline. The PLH/DPS should lead by example.

LICENSING SUB-COMMITTEE - 8.3.2017

- c. It was acknowledged that alternative actions had been offered on behalf of Mr Kolo. As a minimum, the sub committee should consider conditioning a change of DPS; and it was not appropriate for Mr Korkmaz to work at the premises; and officers would like a CCTV condition added to a licence, with a suspension of the licence for a period to ensure the premises was compliant.
 - d. However, the Licensing Authority had no confidence in those running the premises and the recommendation remained to revoke the licence.
8. The summary statement of Mr Michael Rogers, Counsel, on behalf of Mr Mehmet Kolo, PLH/DPS, including:
- a. Mr Kolo accepted that he made a mistake when he made the purchase on 06/12/16, and he did not lead by example. However, it was not suggested he was selling any illicit tobacco in the premises.
 - b. His submission was whether the concerns were serious enough for revocation of the licence altogether at the premises, or as he suggested it would be more proportionate to take the alternative course of suspension of the licence, change of DPS and additional condition.
 - c. In respect of CCTV, Mr Kolo already had 13 cameras in place and was close to complying with the suggested additional condition in any event.
 - d. He confirmed that Mr Kolo was offering the alternative course of action: he understood that he made a serious mistake and that there would be concerns. He clarified that Mr Kolo was actively putting forward the alternative action being suggested.

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 considered all the oral and written submissions by all parties, and having considered the various answers provided to extensive questioning at the hearing, the Licensing Sub Committee (LSC) concluded that the matter before it was serious so that it was both appropriate and proportionate to uphold the application made by the Licensing Authority for revocation of the licence for Ordnance Supermarket.

LICENSING SUB-COMMITTEE - 8.3.2017

This was the second occasion in comparatively recent times when an application to review the licence had been made – on both occasions for the same offence connected with the sale of illicit non-duty paid goods.

The LSC was satisfied that the Licensing Authority made its case persuasively and in full, with compelling evidence to support the basic fact that on two occasions, on 21 September 2016 and 6 December 2016, sales of non-duty paid tobacco were witnessed by HMRC officials and plain-clothed police officers, at the licensed premises with a proven track record of such criminal offences. The LSC was persuaded by the concluding arguments made in summary that the premises licence holder/ designated premises supervisor (PLH/DPS) inspired no confidence in his ability to operate the licence, and that by his own actions, had failed to lead by example and lacked both the training and capacity to hold or operate effectively this licence. The lack of responsibility was evidenced by the fact that on the 6 December 2016, the PLH/DPS was found to have been wearing a coat containing 17 packets of Polish labelled non-duty paid cigarettes, and other rolling tobacco. During questioning, the PLH/DPS admitted purchasing these illicit items from outside the cash and carry he had visited on the same day.

In considering the submissions made on behalf of Mr Kolo by his counsel at the hearing, and taking account of all the questions put to him, assisted by a non-professional interpreter, the LSC believed the case being made demonstrated an inconsistency between some of the written and oral statements. The responses were unconvincing, and at times stretched credulity to the limits, especially when he was unable to answer the most simplest of questions of which it would be expected of him to know. This lack of awareness further undermined the panel's confidence in the management capabilities of the licence holder, and specifically his capacity to remain in the role of DPS.

By his own admission, three of the five people cited in Mr Kolo's witness statement as being involved in the business at present, have direct connection to activities which individually and collectively undermine the prevention of crime and disorder, including Mr Duran Haligur, who made the sale on 21 September 2016. One of these people (Mr Ibrahim Korkmaz), we heard, was very well known to Mr Kolo, being a close family member of some eight years standing, who also shares the same address as the PLH/DPS, and who was one of the two licence holders at the time when that licence was revoked in January 2015 for similar offences of counterfeit sales from these premises.

We heard that Mr Kolo confirmed that Mr Korkmaz continued to be employed at the premises as a part time employee, even though, his current licensing agent, from the same solicitor firm at the time of the appeal hearing against the previous revocation, advanced then "that Mr Korkmaz would have no involvement in the business **whatsoever**".

LICENSING SUB-COMMITTEE - 8.3.2017

Although it acknowledged that the business characteristics between then and now are different, and that the two cases are separate, the LSC nevertheless felt that the decision by Mr Kolo to employ somebody, who himself had been found to have undermined the prevention of crime and disorder at the same premises, demonstrated a lack of judgement on his part and fostered a further lack of confidence by the LSC in Mr Kolo.

The LSC was particularly concerned by events of the 6 December 2016, when Mr Kolo was found to be in possession of 450g Hand Rolling tobacco, and 17 packets of cigarettes, being non-duty paid in nature, and with labelling in Polish. Our concern was enhanced by the evidence provided by Ms Charlotte Palmer that this was so soon after the minor variation submission for changes to the licence that the amended and strengthened conditions, allied to guidance previously provided in relation to counterfeit goods, had not even been applied to the licence. But Mr Kolo would clearly have been aware of issues pertaining to non-duty paid goods, given that he had held this licence since 26 January 2016, and been party to all the episodes of alleged irregular activities, the successive warnings and guidance that followed, and his own responsibilities conferred by holding a premises licence and being the designated premises supervisor.

Whether or not the tobacco products found in Mr Kolo's coat pockets were for personal consumption (as asserted in his witness statement) by Mr Kolo and one of what we established through questions are three of his sisters, the LSC was unconvinced by Mr Kolo's interpretation of events on that day. Under questioning, he admitted that he had purchased these products from a non-recognised source at a location "in front of the cash and carry". Under additional questioning, Mr Kolo failed to explain why he chose to purchase cigarettes and tobacco of this nature from this supplier, without any receipt to demonstrate proof of purchase, and not from the reputable cash and carry in the immediate vicinity; or indeed when he had more than ready daily access to cigarettes on the shelves of his own store sufficient to satisfy the 20 cigarettes per day consumption that he told us was what he and his sister would typically smoke in a day.

Mr Kolo conceded through his counsel that this was a mistake. However, it was the view of the LSC that simply to purchase products of a kind he should know he is not allowed to sell in his own premises, especially being from a non-commercial source and supplier whom he could not verify, was ill-judged and irresponsible in whatever context.

This led to additional doubts on his understanding of licensing matters, and his competence, ability and capacity to assert and handle the responsibilities incumbent upon him as owner of and principal supervisor in premises licensed to sell tobacco and alcohol products, and manager of staff who need to be trained, under his leadership in all the matters bounded and conditioned by that licence.

LICENSING SUB-COMMITTEE - 8.3.2017

Licensing Guidance is very clear (s 11.27) that there is certain activity that may arise in connection with licensed premises which should be treated particularly seriously. These include the use of the premises for the sale and storage of smuggled tobacco and alcohol.

Although the bulk of the hearing concentrated solely on the issues pertaining to the tobacco goods, the LSC did give some weight to the written evidence from the Licensing Authority provided on page 68 of the bundle, and in appendix 3, whereby on 29 March 2016 items of Polish and Turkish lager, none of which were labelled in English as required, were found both under the counter and in the outer store rooms. "Some of that foreign lager was on sale".

Applying the next section of that same guidance (11.28), the LSC in this case has determined that the crime prevention objective was being and has been undermined. And considering that this was the second instance in which this has been found in relation to these premises, we arrived at the conclusion the weight of evidence was sufficient and compelling, and the circumstances were serious that we have accorded with the expectation expressed in the guidance that revocation is both appropriate and proportionate.

The LSC arrived at this view applying only the evidence provided in this case, noting purely as circumstantial, but giving no weight at all to, the relationship in every sense between the current PLH/DPS and the joint PLH of the licence from whom it was transferred in January 2016.

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

375

MINUTES OF PREVIOUS MEETING

RECEIVED the minutes of the meeting of Licensing Sub Committee held on Wednesday 7 December 2016.

AGREED that the minutes of the meeting of Licensing Sub Committee held on Wednesday 7 December 2016 be confirmed and signed as a correct record.