

## MUNICIPAL YEAR 2013/14 REPORT NO.

**COMMITTEE :**  
Licensing Sub-Committee  
6 November 2013

**REPORT OF :**  
Principal Licensing Officer

**LEGISLATION :**  
Licensing Act 2003

Agenda - Part	Item
<b>SUBJECT :</b> Application to review a premises licence	
<b>PREMISES :</b> Kosem Restaurant & Meza Bar 500-504 Hertford Road, Enfield EN3	
<b>WARD :</b> Turkey Street	

### 1 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.
- 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.
- 1.3 The current Premises Licence permits :
  - 1.3.1 **Hours the premises are open to the public** : Sunday to Saturday from 00:00 to 00:00 (i.e. 24 hours a day, 7 days a week).
  - 1.3.2 **Supply of alcohol (on supplies only)** : Sunday from 12:00 to 23:30, on Monday to Saturday from 11:00 to 23:00, on Good Friday & Christmas Day from 12:00 to 23:30 and from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
  - 1.3.3 **Live music & Performance of dance** : Sunday none, on Monday to Wednesday from 09:00 to 23:00, on Thursday from 09:00 to 00:30 the following day, on Friday and Saturday from 09:00 to 01:30 the following day, on Good Friday & Christmas Day from 12:00 to 23:30 and from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
  - 1.3.4 **Recorded music** : Sunday to Wednesday from 09:00 to 23:00, on Thursday from 09:00 to 00:30 the following day, on Friday and Saturday from 09:00 to 01:30 the following day, on Good Friday & Christmas Day from 12:00 to 23:30 and from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
  - 1.3.5 **Late night refreshment** : Sunday to Thursday from 23:00 to 00:30 the following day, on Friday and Saturday from 23:00 to 01:30 the following day and on New Years Eve from 23:00 to 05:00 the following day.
  - 1.3.6 **Facilities for making music & Facilities for dancing** : On 1 October 2012 the Live Music Act 2012 amended the Licensing Act 2003 and these activities ceased to be licensable activities.
- 1.4 A copy of a location map of the premises is attached as Annex 01.

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

2 **THIS APPLICATION :**

2.1 On 16 August 2013 application was made by the Licensing Authority for a review of the Premises Licence.

2.2 The review was made on the grounds of the prevention public nuisance licensing objective. The authority considered that it was appropriate, for the promotion of the licensing objectives, to modify the conditions of the licence and to suspend the licence for a period of one month.

2.3 Each of the Responsible Authorities were consulted in respect of the application.

2.4 On 16 October 2013 the Licensing Authority provided additional information in respect of this application. The continued alleged offences and noise issues being created by this premises have lead the authority to the conclusion that this premises should not be licensed. The authority now considers that it is appropriate, for the promotion of the licensing objectives, to revoke the licence.

2.5 Copies of the application and additional information are attached as Annex 03.

3 **RELEVANT REPRESENTATION :**

3.1 **Metropolitan Police** : Representation is made, in support of the application, on the grounds of the prevention of public nuisance.

3.1.1 A copy of the representation is attached as Annex 04.

## 4 RELEVANT LAW, GUIDANCE & POLICIES :

- 4.1 The paragraphs below are extracted from either :
  - 4.1.1 the Licensing Act 2003 ('Act'); or
  - 4.1.2 the Guidance issued by the Secretary of State to the Home Office of October 2012 ('Guid'); or
  - 4.1.3 the London Borough of Enfield's Licensing Policy Statement of April 2012 ('Pol').

### **General Principles :**

- 4.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].
- 4.3 The licensing objectives are :
  - 4.3.1 the prevention of crime and disorder;
  - 4.3.2 public safety;
  - 4.3.3 the prevention of public nuisance; &
  - 4.3.4 the protection of children from harm [Act s.4(2)].
- 4.4 In carrying out its functions, the Sub-Committee must also have regard to :
  - 4.4.1 the Council's licensing policy statement; &
  - 4.4.2 guidance issued by the Secretary of State [Act s.4(3)].

### **Review :**

- 4.5 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].

### **Decision :**

- 4.6 Having heard all of the representations (from all parties) the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are :
  - 4.6.1 to modify the conditions of the licence;
  - 4.6.2 to exclude a licensable activity from the scope of the licence;
  - 4.6.3 to remove the designated premises supervisor
  - 4.6.4 to suspend the licence for a period not exceeding three months;
  - 4.6.5 to revoke the licence [Act s.52].
- 4.7 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].

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

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



### Kosem Restaurant & Meza Bar, 500-504 Hertford Road, ENFIELD, EN3 5SS

LONDON BOROUGH OF ENFIELD  
 CIVIC CENTRE, SILVER STREET  
 ENFIELD, EN1 3XE  
 TEL: 020 8379 1000



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 Ordnance Survey Licence no. 100019820

Scale: 1:1250

Dwg.No. 6500CS

Date: 09/10/2012

Licensing Act 2003

**PART A – PREMISES LICENCE**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/200500120

**Part 1 – Premises Details**

Postal address of premises :

Premises name : Kosem Restaurant & Meza Bar

Telephone number : Not provided

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

(2) **Supply of Alcohol - On supplies**

Sunday :	12:00 - 23:30
Monday :	11:00 - 00:00
Tuesday :	11:00 - 00:00
Wednesday :	11:00 - 00:00
Thursday :	11:00 - 00:00
Friday :	11:00 - 00:00
Saturday :	11:00 - 00:00
Good Friday :	12:00 - 23:30
Christmas Day :	12:00 - 23:30
New Years Eve :	from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

(3) **Live Music - Indoors**

Sunday :

<b>Monday :</b>	<b>09:00 - 23:00</b>
<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:30</b>
<b>Friday :</b>	<b>09:00 - 01:30</b>
<b>Saturday :</b>	<b>09:00 - 01:30</b>

**Good Friday : 12:00 - 23:30**  
**Christmas Day : 12:00 - 23:30**  
**New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.**

**(4) Recorded Music - Indoors**

<b>Sunday :</b>	<b>09:00 - 23:00</b>
<b>Monday :</b>	<b>09:00 - 23:00</b>
<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:30</b>
<b>Friday :</b>	<b>09:00 - 01:30</b>
<b>Saturday :</b>	<b>09:00 - 01:30</b>

**Good Friday : 12:00 - 23:30**  
**Christmas Day : 12:00 - 23:30**  
**New Year's Eve : from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day**

**(5) Performance of Dance - Indoors**

<b>Sunday :</b>	<b>-</b>
<b>Monday :</b>	<b>09:00 - 23:00</b>
<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:30</b>
<b>Friday :</b>	<b>09:00 - 01:30</b>
<b>Saturday :</b>	<b>09:00 - 01:30</b>

**Good Friday : 12:00 - 23:30**  
**Christmas Day : 12:00 - 23:30**  
**New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.**

**(6) Facilities for Making Music - Indoors**

<b>Sunday :</b>	<b>09:00 - 23:00</b>
<b>Monday :</b>	<b>09:00 - 23:00</b>
<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:30</b>
<b>Friday :</b>	<b>09:00 - 01:30</b>
<b>Saturday :</b>	<b>09:00 - 01:30</b>

**Good Friday : 12:00 - 23:30**  
**Christmas Day : 12:00 - 23:30**  
**New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.**

**(7) Facilities for Dancing - Indoors**

<b>Sunday :</b>	<b>-</b>
<b>Monday :</b>	<b>09:00 - 23:00</b>

<b>Tuesday :</b>	<b>09:00 - 23:00</b>
<b>Wednesday :</b>	<b>09:00 - 23:00</b>
<b>Thursday :</b>	<b>09:00 - 00:30</b>
<b>Friday :</b>	<b>09:00 - 01:30</b>
<b>Saturday :</b>	<b>09:00 - 01:30</b>
<b>Good Friday : 12:00 - 23:30</b>	
<b>Christmas Day : 12:00 - 23:30</b>	
<b>New Years Eve : from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</b>	

**(8) Late Night Refreshment - Indoors**

<b>Sunday :</b>	<b>23:00 - 00:30</b>
<b>Monday :</b>	<b>23:00 - 00:30</b>
<b>Tuesday :</b>	<b>23:00 - 00:30</b>
<b>Wednesday :</b>	<b>23:00 - 00:30</b>
<b>Thursday :</b>	<b>23:00 - 00:30</b>
<b>Friday :</b>	<b>23:00 - 01:30</b>
<b>Saturday :</b>	<b>23:00 - 01:30</b>
<b>New Years Eve : 23:00 - 05:00</b>	

**Part 2**

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

**Name :** Mrs Melek Akgun

**Telephone number :** 07581 120946

**e-mail :** Not provided

**Address :** 73 Titchfield Road, ENFIELD, EN3 6AZ

**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 :** Mrs Melek Akgun

**Telephone number :** 07581 120946

**e-mail :** Not provided

**Address :** 73 Titchfield Road, ENFIELD, EN3 6AZ

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

**Personal Licence Number :** LN/201200345

**Issuing Authority :** London Borough of Enfield

**Premises Licence LN/200500120 was first granted on 10 May 2005.**

**Signed :**  .....

**Date :** 30th April 2013

**for and on behalf of the**

**London Borough of Enfield**

**Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH**

**Telephone : 020 8379 3578**





## **Annex 1 - Mandatory Conditions**

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

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

- 3. Alcohol shall not be sold or supplied except during the following permitted hours:**
  - (a) On weekdays (other than Christmas Day or Good Friday) 11:00 - 00:00;**
  - (b) On Sundays (other than Christmas Day) 12:00 - 23:30;**
  - (c) On Good Friday 12:00 - 23:30;**
  - (d) On Christmas Day 12:00 - 23:30;**
  - (e) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day.**
- 4. Alcohol shall not be supplied otherwise than to persons taking table meals for consumption by such persons as ancillary to the meal.**
- 5. Suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as ancillary to table meals.**
- 6. The maximum number of members of public that may be accommodated in the restaurant must not exceed 90.**
- 7. Any portable electrical equipment used by the musicians to be fed from the fixed RCD socket outlets.**
- 8. The barrel bolts securing the exit doors when the premises are not occupied must be removed whilst the public are on the premises.**
- 9. The exit door to Hoe Lane between the shops to be secured only by the Yale night-latch as currently fitted.**
- 10. Notice(s) must be prominently displayed at each exit requesting that "patrons leave the premises quietly".**
- 11. The rear fire escape route to Hoe Lane shall be adequately illuminated at all times when in use.**
- 12. The rear fire exit door and front entrance door shall be maintained unobstructed by tables, chairs or any other items whilst members of the public are on the premises.**
- 13. Dancing shall only be permitted on the designated dance floor.**

14. No soliciting for custom, including the distribution of leaflets, shall take place from the premises, immediately outside the premises or in the vicinity of the premises. The licensee shall not use or cause or permit the use of unauthorised advertisements (fly posting) to advertise events, exhibitions, publications or recordings, and shall take all reasonable steps to ensure that unauthorised advertising (fly posting) connected with events at the premises does not take place. NOTE : This does not prohibit the distribution of leaflets to persons within the premises.

15. There be on duty upon the premises during the whole time that the members of the public are present a sufficient number of competent adult staff who shall have been specially instructed by the licensee or person nominated by him as to their duties in the event of an emergency. The instruction given to staff shall include training on the avoidance of panic and the safe evacuation of the premises. Such staff shall not be engaged in any duties which would hinder the prompt discharge of their duties in the event of any emergency or entail their absence from that floor, tier, or auditorium where they are on duty. Such staff shall not be engaged in any sales duties which involve the use of trays or similar equipment when the normal lighting is dimmed or extinguished.

16. Where the premises are used for a closely seated audience or have a maximum accommodation of more than 300 persons, unless the Licensing Authority requires or consents otherwise there shall be a minimum of two members of staff on duty on each floor or tier of the auditorium where the public, up to a number not exceeding 500, are present on that floor or tier and one additional member of staff for each additional 250 persons or part thereof present on that floor or tier provided that: (a) if an auditorium has only one floor or tier and seats 250 persons or less the number of staff on duty in that auditorium shall be not less than one; (b) only one member of staff is required to be on duty on any floor or tier of an auditorium when the number of persons present on that floor or tier does not exceed 100.

17. Entertainment specially presented for children shall not be given without the Licensing Authority's consent. At least seven days' notice shall be given to the Licensing Authority of any intention to provide such entertainment. During the whole time that performances are specially presented for children: (a) A member of staff shall be stationed in the vicinity of each exit from any level occupied by children provided that on each level the minimum number of staff on duty shall be: Stalls - 1 member of staff per 100 children or part thereof, All other levels - 1 member of staff per 50 children or part thereof; (b) No child unless accompanied by an adult shall be permitted in the front row of any balcony; (c) Standing shall not be permitted.

18. No poster, advertisement, photograph, sketch, synopsis or programme shall be displayed, sold or supplied anywhere by or on behalf of the licensee which is unsuitable for general exhibition. If the licensee is notified by the Licensing Authority in writing that it objects under this condition to a poster, advertisement, photograph, sketch, synopsis or programme, it shall not be displayed, sold or supplied.

19. The licensee shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. Dancing shall be restricted to the areas approved by the Licensing Authority for that purpose.
21. Overcrowding shall not be permitted in any part of the premises.
22. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
23. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the approved arrangements. In restaurants and other premises where chairs and tables are provided clear gangways shall be provided in accordance with the approved arrangements. No changes shall be made to the approved layout of the premises without the consent of the Licensing Authority. All exit doors shall be available at all material times without the use of a key, code, card or similar means. Any fastenings or electrically controlled locks shall be approved by the Licensing Authority. Any approved removable security fastenings shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in an approved position. All fire doors shall be maintained effectively self closing and not held open other than by an approved device. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
24. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary to the satisfaction of the Licensing Authority.
25. At premises licensed for stage presentations and at other premises where the Licensing Authority so requires, at least one member of staff shall be adequately trained by a recognised authority in fire-prevention and extinction. Such person shall act as duty fire officer and shall not be engaged in other duties which conflict with this primary duty and shall be readily identifiable and distinguishable from other members of staff. Additional trained staff shall be employed if for any reason the Licensing Authority considers necessary. All parts of the premises shall be inspected by an appropriately trained member of staff at the end of every separate performance in order to ensure no fire exists and to identify any possible fire risk. The licensee shall ensure that a log book is kept to record the holding of staff fire drills and the carrying out of checks. The licensee or duty manager shall initial the log book weekly and the book shall be open to inspection at any reasonable time by authorised officers.

26. At least 7 days' notice shall be given to the Licensing Authority of any proposal to use scenery or properties and such scenery or properties shall only be used with the consent of the Licensing Authority. Scenery and properties shall only be stored in approved areas and where permitted to be stored on the stage shall be limited to the approved amounts. The doors to any scenery store shall be kept closed during performances. The scenery and properties used on an open stage shall be restricted to that of the actual production. No other storage shall be permitted in the stage area.

27. The safety curtain (where provided) shall be tested immediately before or during each performance.

28. Any entertainment which involves special risks (e.g. firearms, skating to music) may only be given with the Licensing Authority's consent. At least 7 days' notice shall be given to the Licensing Authority and save in exceptional circumstances exact details of the proposal including the date and time of any proposed rehearsal.

29. The use of special effects (e.g. lasers, dry ice and smoke machines, strobe lighting, real flame, pyrotechnics) or the bringing onto the premises of any explosive or flammable substance may only be permitted with the consent of the Licensing Authority. At least seven days' notice shall be given to the Licensing Authority detailing the exact proposal including the date and time of any proposed rehearsal. Special effects shall only be used where the desired effect cannot be achieved using other safer means (e.g. by mechanical devices).

30. Pyrotechnics, explosives or other highly flammable substances shall only be stored in areas approved by the Licensing Authority and subject to the following provisions: (a) Firearms and replica firearms including blank ammunition, shall be stored in a secure area to the satisfaction of the Licensing Authority and the police. They shall be under the control of a responsible person, who shall be responsible for the removal and return of all firearms. Firearms shall only be removed from the store (with the amount of ammunition required for the scene) immediately prior to use and returned to the store immediately after use. All discharged cartridges etc. must also be accounted for; and (b) Storage areas and containers used shall be indicated by the explosive/inflammable symbol on the door or lid.

31. Entertainment commonly known as a pop concert shall not be given without the Licensing Authority's consent. At least one month's notice shall be given in the event of any intention to use the premises for a pop concert. The application shall give the names of the groups or artists booked to appear (if known) together with an indication of the age and profile of the audience the entertainment is expected to attract.

32. A sufficient number of suitable receptacles for refuse storage shall be provided to the satisfaction of the Licensing Authority in approved positions. These receptacles shall be maintained in a clean condition.

33. In the absence of adequate daylight in any area used by the public the management lighting in such areas shall be fully in operation whilst the public are on the premises. If essential to the entertainment and agreed by the

Licensing Authority, lighting in the entertainment area (except for fire safety signs) may be reduced or extinguished provided : (i) the lighting is controlled from a position with a clear view of the audience; (ii) an operator stands by such controls whilst the lighting is reduced or extinguished who shall restore the management lighting in the event of any emergency.

34. The escape lighting installation, including its load, shall not be altered without the consent of the Licensing Authority. Any escape lighting battery shall be fully charged before the admission of the public. Should the normal lighting fail and the escape lighting system have a one hour capacity the public shall leave the premises within 30 minutes unless within that time the normal lighting has been restored and the batteries are being re-charged. If the escape lighting system has a three hour capacity the public shall leave the premises within one hour unless within that time the normal lighting has been restored and the batteries are being re-charged. If the patrons have left the premises they shall not be re-admitted until normal lighting has been fully restored and the battery or batteries fully recharged.

35. Temporary electrical installations shall be inspected and certified by a competent person before they are put into use. A copy of the certificate shall be sent to the Licensing Authority. Such temporary electrical installations shall only be acceptable for a period of up to 3 months. This period may be extended subject to a satisfactory electrical test and inspection report being submitted to the Licensing Authority at the end of each 3 month period.


36. The premises shall be effectively ventilated at all material times. In theatres and similar auditoria where the ventilation system is designed to maintain a positive air pressure balance in the auditorium the ventilation system shall be operated so as to maintain the pressure balance at all material times.

37. Cylinders for the storage of compressed air, oxygen, or other gases or liquids under pressure shall not be used except with the consent of the Licensing Authority. At least 14 days' notice in writing shall be given to the Licensing Authority of any proposal to use such apparatus. NOTE: This rule does not apply to gas cylinders fitted in connection with the dispensing of beverages.


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

**Not applicable**

Annex 4 - Plans




Existing Front Elevation



Proposed Front Elevation

2. No new 12x14x black aluminum window frames - all glass to reduce sound transmission from street - Bricker made good and painted to match existing.

97/0310

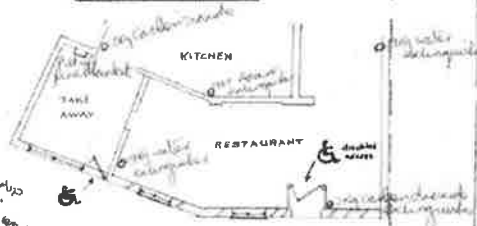


HERTFORD RD

PERMIT IS GRANTED  
SUBJECT TO  
CONDITIONS  
21 APR 1987

DISCRETION GRANTED  
21 APR 1987  
BUILDING CONTROL

APPLICANT'S COPY



ALTERATIONS TO SHOPFRONT AT - 500-504 HERTFORD RD EN3.

SCALE 1:100      MR. HAYRI E.S.C.

4907 3117

**Application for the review of a premises licence or club premises certificate  
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 Charlotte Palmer, Licensing Enforcement Officer

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below**

**Part 1 – Premises or club premises details**

Kosem Restaurant & Meza Bar

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
500-504 Hertford Road	
<b>Post town</b>	<b>Post code (if known)</b>
Enfield	EN3 5SS

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Premises Licence Holder - Mrs Melek Akgun

<b>Number of premises licence or club premises certificate (if known)</b>
LN/200500120

**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
  - a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

### (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Charlotte Palmer Licensing Enforcement Officer Licensing Authority London Borough of Enfield PO Box 57 Civic Centre Silver Street EN1 3XH
Telephone number: 020 8379 3965
E-mail address: charlotte.palmer@enfield.gov.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm



**Please state the ground(s) for review:** (please read guidance note 1)

Enfield Licensing Authority is seeking a review of the premises licence on the grounds that music from the premises causes a nuisance to local residents.

This review is based on the prevention of public nuisance licensing objective.

The review application is to reduce the licensed hours for regulated entertainment and to amend / add further conditions to strengthen the licensing objectives.

**Background History**

The licence for this premises was converted to a premises licence in 2005.

**Tues 30/04/13** – Licence transfer to current licence holder and vary DPS application issued.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

**Sun 09/06/13** – 01:27 – Complaint received in relation to loud music coming from the premises. 01:45 Officers phoned the complainant and agreed to visit the premises. 02:25 Visit made to premises. Live music could be clearly heard coming from the restaurant. **ALLEGED BREACH OF LICENSED HOURS.** The Officers entered the premises and spoke to a male who said he was the Manager. They advised him to reduce the volume as it was too loud which he agreed to do. The entrance door to the restaurant area was open and when asked why the premises was open so late the Manager said it was "opening night".

**Tues 11/06/13** – Standard Noise Letter sent to premises (**see Appendix 1**)



**Fri 14/06/13** – 23:00 – Out of Hour Noise Officers (CPX, DD) carried out observations of the premises. The premises was very quiet and there were not many customers. One male was playing on a keyboard and another male was sitting with him on a slightly raised area at the front right hand side of the premises (as looking in from outside). Music was very slightly audible when the Officers were outside the window nearest to the performers.

**Sun 16/06/13** – 01:36 – Complaint received regarding loud music. 02:08 – Called complainant, music ceased.

**Wed 19/06/13** – Further noise letter sent to the premises (**see Appendix 2**).

**Sat 22/06/13** – 23:56 and 00:18 Complaints received from two different residents regarding loud music. 00:58 – Officers visited one of the complaints and carried out observations from their property. Music was audible and some lyrics could be heard. 01:00 – Officers agreed the level of the music audible in the complainant's property would make it difficult to sleep. 01:03 – The Officers visited the restaurant and spoke to the Manager, Mr Saglam. They advised him that they had received a complaint about the music and advised him to turn it down. The music was turned down whilst the Officers were on site. 01:51 – Further complaints received regarding loud music. 02:26 - Called complainant – music ceased.

**Sun 30/06/13** – 00:40 – Out of Hours Licensing Enforcement Officers (CT & PGB) visited the premises. On arrival music was audible outside. Live music was taking place with a keyboard, string instrument and singer positioned in the front window. Less than 20 people were inside. No windows/doors open. The music was loud outside the front windows so the Officers walked across the road to see what they could hear. At this time the music could not be heard over the traffic. No alcohol seen on tables and no one at the bar.

**Wed 03/07/13** – An Officer (JE) spoke to the DPS Ms Melek who said that officers from the OOH visited and they advised there was no confirmed noise nuisance. The Officer (JE) advised that the noise service respond to all complaints and if they do witness any intrusive noise they take the appropriate action.

**Sat 06/07/13** – 23:03 – Complaint regarding loud music. 00:07 – phoned complainant and music had ceased.

**Mon 08/07/13** – 11:15 – 11:30 Licensing Enforcement Officer (CPX) visited the premises and carried out a full licence inspection. Condition 10 - Leave quietly notice not on display – **ALLEGED BREACH OF CONDITION 10**. Also discussed recent noise complaints. Advised to carry out sound checks and to document them. Also to reduce bass and to keep doors and windows closed during regulated entertainment. Sound record template given. Gave 7 days to comply. Inspection report completed and signed by Manager and Officer (**see Appendix 3**).

**Fri 09/08/13** – 01:11 – Complaint received in relation to loud music. 01:36 Officers telephoned the complainant who confirmed that the loud music was still ongoing. The Officers were outside the complainant's property so entered. Loud music and singing using a PA/ Microphone was clearly audible in the complainant's property even with the windows closed. The Officers were satisfied that the level of the music was unreasonable and a statutory nuisance. The Officers advised that they would approach the restaurant to request a reduction in the volume. 01:45 officers visited the premises and met the Mr Seglum, the Manager who said that his wife is the DPS. The Officers advised him that the female signer was far too loud and that the music accompanying her was also too loud. The Manager was unable to achieve an effective reduction initially but eventually managed to get a reduction in the volume of

the music but the microphone was still too loud. The Offices asked to speak to the DPS but despite waiting she never came out. The Officers decided that a s.80 Noise Abatement Notice should to be served on the premises and also noted that a review of the licence should be considered.

**Sat 10/08/13** – 22:31 – Complaint received in relation to loud music. 23:05 Out of Hours Noise Officers (CPX / PB) visited the complainant. The complainant advised Officers that the music was audible but that it was much quieter than the previous night. Bass was audible in the rear downstairs room but not a statutory nuisance. Bass was also audible in the front bedroom with double glazed windows closed but not a nuisance. With windows open the vocals could be heard. There was a large fan on in the bedroom which the complainant said they were using as they could not open the windows because of the noise. When the traffic went quiet Officer could clearly hear the music coming from the restaurant. With the window open the level of the music was approaching a nuisance. 23:15 – Officers (CPX / CLB) visited the restaurant and met the DPS and her husband who is the Manager. The Officers advised them that once again the music was too loud and that it needed to be reduced. When customers held the doors open to come outside the level of the music escaping from the premises increased greatly. The Officers reminded them of the previous visits and advice given. The Offices gave advice on events and noise from the singing and how it affected local residents. The DPS showed one of the Officers the sound record template that they had given the Manager during the licence inspection. They had not been completed. The DPS seemed to be under the impression that the Council Officers were meant to sign the forms when they visited. The Officer explained that the forms had been given to the Manager for them to document the sound checks that they had been advised to carry out during regulated entertainment to ensure music was not escaping from the premises. The Manager and PLH / DPS did not appear to be in control of those performing at their premises and were reluctant to ask them to reduce the level of the music. The Manager communicated his frustration that residents were complaining about the music. He appeared to have no consideration for how their actions were affecting local residents even when told that Officers had visited the residential property and see for themselves that the complaints were justified. At 23:30 one of the Officers (CLB) served Mrs Melek Akgu, Premises Licence Holder / DPS with a s.80 Noise Abatement Notice (Environmental Protection Act 1990) in relation to the loud music he had witnessed the previous evening (**see Appendix 4**) The notice required Mrs Akgun to 'not play or permit the playing of amplified music or musical instruments at such a volume so as to cause nuisance from noise, nor to cause or permit to be caused noise or vibration from human voice or other human activity' The Officers also reminded them that the music must cease at 01:30. Officers left at 23:40. 01:35 – Complaint received in relation to loud music. Officers were unable to revisit.

### **In Summary:**

Nine complaints have been received in relation to loud music coming from this premises in the last three months. The PLH / DPS and Manager have been advised of the complaints both during visits and in writing. It is also alleged that music continues after the currently permitted hours. The music has been so loud that a noise abatement notice has been served on Mrs Akgun. I have no confidence that those running the premises are taking this matter seriously. They appear to have no consideration for local residents and they appear unable or unwilling to control the level of the music provided by those performing in their premises. I therefore do not believe that this premises is suitable to have regulated entertainment after 23:00.

There are many conditions attached to the licence that are not relevant to this type of business which I believe should be removed and replaced with new conditions to strengthen the licensing objectives.

**Additional Information:**

Planning Permission for the premises currently restricts the trading hours to:

**TP/92/1037/1 - Removal of Condition 1 of permission dated 23/4/93 (Ref:TP/ 92/1037) which restricts the use of the premises as a restaurant and takeaway to the applicant.**

**GRANTED WITH CONDITIONS 19-09-95**

**“1. That for the purpose hereby approved the premises shall be open for business only between the hours of 09:00 to 16:30 and 18:30 to 23:30 Mondays to Sundays, and that all activities related to the Class A3 use shall cease within 1 hour of the 23:30 closing time specified above, unless otherwise agreed in writing by the Local Planning Authority.**

**Reasons:(I) to ensure that the use class does not unduly prejudice the amenities of the occupiers of adjoining and nearby residential properties. (II) to ensure that the use class does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway during times of peak traffic flow.”**

Planning Permission for later hours has been granted in the past however a conditions was attached to the permission stating ‘this permission shall enure for the benefit of the applicant Hayri Eboin alone and not for the benefit of any other occupier of the premises’.

As the premises is now run by Mrs Akgun the planning permission has reverted back to the TP/92/1037/1 permission.

Insufficient planning permission cannot prevent a licence from being granted, however, if businesses trade without planning permission they are guilty of an offence under planning law and may be prosecuted by the Planning Enforcement Team. Likewise if a business has planning permission but trades without the necessary licence they will be guilty of an offence under licensing law and may be prosecuted by the Licensing Enforcement Team.

Therefore businesses must have the relevant planning permission AND licence in order to trade legally. If the times and activities on both are not the same businesses must stick to the lesser times / activities as failure to do so will be a breach of either planning or licensing legislation.

Given the history of complaints and the fact that Council officers have witnessed music played at a level deemed to be a statutory noise nuisance it is unlikely that any application to extend the planning permission hours would be granted. I believe that the hours on the premises licence should be reduced to be inline with the planning permission hours.

Detailed below are the current and recommended licensed times, licensable activities and licence conditions:

<b>Activity</b>	<b>Current Hours</b>	<b>Recommended Hours</b>
Opening	24 hours	Mon – Sun - 09:00 – 23:30
Alcohol (on sales)	Sun – 12:00 – 23:30 Mon – Sat 11:00 – 00:00	Mon – Sun - 09:00 – 23:00

Recorded Music	Sun – Wed - 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
Live Music	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
Performance of Dance	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
Facilities for Making Music	Sun – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
Facilities for Dancing	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
LNR	Sun – Thurs 23:00 – 00:30 Fri – Sat 23:00 – 01:30	Mon – Sun - 09:00 – 23:30

This premises is located within the **Enfield Highway Cumulative Impact Policy Area** and the reduced times requested in this review would bring the licensed hours within the maximum hours permitted by the policy.

### **Current Conditions – Annex 2**

3. Alcohol shall not be sold or supplied except during the following permitted hours:
  - (a) On weekdays (other than Christmas Day or Good Friday) 11:00 - 00:00;
  - (b) On Sundays (other than Christmas Day) 12:00 - 23:30;
  - (c) On Good Friday 12:00 - 23:30;
  - (d) On Christmas Day 12:00 - 23:30;
  - (e) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day. **Remove – hours are already stated on the licence.**
4. Alcohol shall not be supplied otherwise than to persons taking table meals for consumption by such persons as ancillary to the meal.
5. Suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as ancillary to table meals.
6. The maximum number of members of public that may be accommodated in the restaurant must not exceed 90.
7. Any portable electrical equipment used by the musicians to be fed from the fixed RCD socket outlets. **Remove**
8. The barrel bolts securing the exit doors when the premises are not occupied must be removed whilst the public are on the premises. **Remove**

9. The exit door to Hoe Lane between the shops to be secured only by the Yale night-latch as currently fitted.

10. Notice(s) must be prominently displayed at each exit requesting that "patrons leave the premises quietly".

**Alter to: 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.**

11. The rear fire escape route to Hoe Lane shall be adequately illuminated at all times when in use.

12. The rear fire exit door and front entrance door shall be maintained unobstructed by tables, chairs or any other items whilst members of the public are on the premises.

13. Dancing shall only be permitted on the designated dance floor.

14. No soliciting for custom, including the distribution of leaflets, shall take place from the premises, immediately outside the premises or in the vicinity of the premises. The licensee shall not use or cause or permit the use of unauthorised advertisements (fly posting) to advertise events, exhibitions, publications or recordings, and shall take all reasonable steps to ensure that unauthorised advertising (fly posting) connected with events at the premises does not take place. NOTE : This does not prohibit the distribution of leaflets to persons within the premises. **Remove**

15. There be on duty upon the premises during the whole time that the members of the public are present a sufficient number of competent adult staff who shall have been specially instructed by the licensee or person nominated by him as to their duties in the event of an emergency. The instruction given to staff shall include training on the avoidance of panic and the safe evacuation of the premises. Such staff shall not be engaged in any duties which would hinder the prompt discharge of their duties in the event of any emergency or entail their absence from that floor, tier, or auditorium where they are on duty. Such staff shall not be engaged in any sales duties which involve the use of trays or similar equipment when the normal lighting is dimmed or extinguished. **Remove**

16. Where the premises are used for a closely seated audience or have a maximum accommodation of more than 300 persons, unless the Licensing Authority requires or consents otherwise there shall be a minimum of two members of staff on duty on each floor or tier of the auditorium where the public, up to a number not exceeding 500, are present on that floor or tier and one additional member of staff for each additional 250 persons or part thereof present on that floor or tier provided that: (a) if an auditorium has only one floor or tier and seats 250 persons or less the number of staff on duty in that auditorium shall be not less than one; (b) only one member of staff is required to be on duty on any floor or tier of an auditorium when the number of persons present on that floor or tier does not exceed 100. **Remove**

17. Entertainment specially presented for children shall not be given without the Licensing Authority's consent. At least seven days' notice shall be given to the Licensing Authority of any intention to provide such entertainment. During the whole time that performances are specially presented for children: (a) A member of staff shall be stationed in the vicinity of each exit from any level occupied by children provided that on each level the minimum number of staff on duty shall be: Stalls - 1

member of staff per 100 children or part thereof, All other levels - 1 member of staff per 50 children or part thereof; (b) No child unless accompanied by an adult shall be permitted in the front row of any balcony; (c) Standing shall not be permitted.

**Remove**

18. No poster, advertisement, photograph, sketch, synopsis or programme shall be displayed, sold or supplied anywhere by or on behalf of the licensee which is unsuitable for general exhibition. If the licensee is notified by the Licensing Authority in writing that it objects under this condition to a poster, advertisement, photograph, sketch, synopsis or programme, it shall not be displayed, sold or supplied. **Remove**

19. The licensee shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

20. Dancing shall be restricted to the areas approved by the Licensing Authority for that purpose. **Remove**

21. Overcrowding shall not be permitted in any part of the premises. **Remove**

22. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order. **Remove**

23. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the approved arrangements. In restaurants and other premises where chairs and tables are provided clear gangways shall be provided in accordance with the approved arrangements. No changes shall be made to the approved layout of the premises without the consent of the Licensing Authority. All exit doors shall be available at all material times without the use of a key, code, card or similar means. Any fastenings or electrically controlled locks shall be approved by the Licensing Authority. Any approved removable security fastenings shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in an approved position. All fire doors shall be maintained effectively self closing and not held open other than by an approved device. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous. **Remove**

24. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary to the satisfaction of the Licensing Authority. **Remove**

25. At premises licensed for stage presentations and at other premises where the Licensing Authority so requires, at least one member of staff shall be adequately trained by a recognised authority in fire-prevention and extinction. Such person shall act as duty fire officer and shall not be engaged in other duties which conflict with this primary duty and shall be readily identifiable and distinguishable from other members of staff. Additional trained staff shall be employed if for any reason the Licensing Authority considers necessary. All parts of the premises shall be inspected by an appropriately trained member of staff at the end of every separate performance in order to ensure no fire exists and to identify any possible fire risk. The licensee shall ensure that a log book is kept to record the holding of staff fire drills and the carrying out of checks. The licensee or duty manager shall initial the log book weekly and the

book shall be open to inspection at any reasonable time by authorised officers.

**Remove**

26. At least 7 days' notice shall be given to the Licensing Authority of any proposal to use scenery or properties and such scenery or properties shall only be used with the consent of the Licensing Authority. Scenery and properties shall only be stored in approved areas and where permitted to be stored on the stage shall be limited to the approved amounts. The doors to any scenery store shall be kept closed during performances. The scenery and properties used on an open stage shall be restricted to that of the actual production. No other storage shall be permitted in the stage area. **Remove**

27. The safety curtain (where provided) shall be tested immediately before or during each performance. **Remove**

28. Any entertainment which involves special risks (e.g. firearms, skating to music) may only be given with the Licensing Authority's consent. At least 7 days' notice shall be given to the Licensing Authority and save in exceptional circumstances exact details of the proposal including the date and time of any proposed rehearsal. **Remove**

29. The use of special effects (e.g. lasers, dry ice and smoke machines, strobe lighting, real flame, pyrotechnics) or the bringing onto the premises of any explosive or flammable substance may only be permitted with the consent of the Licensing Authority. At least seven days' notice shall be given to the Licensing Authority detailing the exact proposal including the date and time of any proposed rehearsal. Special effects shall only be used where the desired effect cannot be achieved using other safer means (e.g. by mechanical devices). **Remove**

30. Pyrotechnics, explosives or other highly flammable substances shall only be stored in areas approved by the Licensing Authority and subject to the following provisions: (a) Firearms and replica firearms including blank ammunition, shall be stored in a secure area to the satisfaction of the Licensing Authority and the police. They shall be under the control of a responsible person, who shall be responsible for the removal and return of all firearms. Firearms shall only be removed from the store (with the amount of ammunition required for the scene) immediately prior to use and returned to the store immediately after use. All discharged cartridges etc. must also be accounted for; and (b) Storage areas and containers used shall be indicated by the explosive/inflammable symbol on the door or lid. **Remove**

31. Entertainment commonly known as a pop concert shall not be given without the Licensing Authority's consent. At least one month's notice shall be given in the event of any intention to use the premises for a pop concert. The application shall give the names of the groups or artists booked to appear (if known) together with an indication of the age and profile of the audience the entertainment is expected to attract. **Remove**

32. A sufficient number of suitable receptacles for refuse storage shall be provided to the satisfaction of the Licensing Authority in approved positions. These receptacles shall be maintained in a clean condition. **Remove**

33. In the absence of adequate daylight in any area used by the public the management lighting in such areas shall be fully in operation whilst the public are on the premises. If essential to the entertainment and agreed by the Licensing Authority, lighting in the entertainment area (except for fire safety signs) may be reduced or extinguished provided : (i) the lighting is controlled from a position with a clear view of the audience; (ii) an operator stands by such controls whilst the lighting is reduced or

extinguished who shall restore the management lighting in the event of any emergency. **Remove**

34. The escape lighting installation, including its load, shall not be altered without the consent of the Licensing Authority. Any escape lighting battery shall be fully charged before the admission of the public. Should the normal lighting fail and the escape lighting system have a one hour capacity the public shall leave the premises within 30 minutes unless within that time the normal lighting has been restored and the batteries are being re-charged. If the escape lighting system has a three hour capacity the public shall leave the premises within one hour unless within that time the normal lighting has been restored and the batteries are being re-charged. If the patrons have left the premises they shall not be re-admitted until normal lighting has been fully restored and the battery or batteries fully recharged. **Remove**

35. Temporary electrical installations shall be inspected and certified by a competent person before they are put into use. A copy of the certificate shall be sent to the Licensing Authority. Such temporary electrical installations shall only be acceptable for a period of up to 3 months. This period may be extended subject to a satisfactory electrical test and inspection report being submitted to the Licensing Authority at the end of each 3 month period. **Remove**

36. The premises shall be effectively ventilated at all material times. In theatres and similar auditoria where the ventilation system is designed to maintain a positive air pressure balance in the auditorium the ventilation system shall be operated so as to maintain the pressure balance at all material times. **Remove**

37. Cylinders for the storage of compressed air, oxygen, or other gases or liquids under pressure shall not be used except with the consent of the Licensing Authority. At least 14 days' notice in writing shall be given to the Licensing Authority of any proposal to use such apparatus. NOTE: This rule does not apply to gas cylinders fitted in connection with the dispensing of beverages. **Remove**

#### **Additional Conditions To Be Added To The Licence**

- All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
- All training relating to the sale of alcohol and times and conditions of the 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.
- 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.
- 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.
- A Personal Licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.



- 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.
- The management shall make subjective assessments of noise levels outside at the perimeter of the premises 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.
- All visiting performers providing live or recorded music at the premises shall be briefed prior to events taking place with regard to the premises licence conditions relating to noise and maximum sound levels. They must sign a booking form confirming they have been informed of and understand the terms of use. These booking forms must be kept for six months and must be made available to an authorised officer of the Council or police, upon request. If regular performers are employed this can be done on a monthly basis with times and dates being specified on the booking form.
- No alcoholic drinks or glass containers shall be taken outside at any time.

#### **End of conditions**

The posters, training material, training records and refusals book are all available on Enfield Council's website

[http://www.enfield.gov.uk/downloads/download/2316/compliance\\_documents](http://www.enfield.gov.uk/downloads/download/2316/compliance_documents)

Please be aware that LBE currently promote the "Think 25" Policy.

The Licensing Authority reserves the right to give evidence on any further incidents relating to breaches of the licensing objectives which may take place at, or in the vicinity of the premises, between the submission of this representation and the hearing or during the time allowed for any appeal proceedings. Additionally, the Licensing Authority reserves the right to present details of the outcome of any Court hearings between the submission of this representation and the hearing.

<b>Suspension of Licence:</b>	<b>Y</b>
<b>Revocation of Licence:</b>	<b>N</b>
<b>Recommended period of suspension ( max 3 months):</b> 1 Month	
<b>Reasons for Suspension</b>	
It is appropriate and necessary to suspend the licence to give the premises licence holder the time to ensure all conditions are in place and training of all staff has been issued.	

Please tick yes

Have you made an application for review relating to this premises before  No

If yes please state the date of that application

Day Month Year

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

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

**Signature**

*Palmer*

**Date** 16<sup>th</sup> August 2013

**Capacity** Licensing Enforcement Officer  
Licensing Authority

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

The Occupier  
Kosem Restaurant & Meza Bar  
500-504 Hertford Road  
Enfield  
EN3 5SS

Please reply to: Environmental Crime Officer  
Environment Department  
PO Box 57, Civic Centre  
Silver Street, Enfield, Middlesex. EN1 3XH  
Tel: 020 8379 3731  
Fax: 030 8379 2190  
Minicom: 020 8379 4419  
Email: Jeffrey.elliott@enfield.gov.uk  
My Ref: WK/213021954  
Your Ref:  
Date: 11th June 2013

Dear Sir/Madam,

**Environmental Protection Act 1990**  
**Alleged Noise Nuisance due to: Loud music**

It has been brought to my attention that noise possibly from your premises, is affecting other local resident(s). This matter has not been fully investigated and this letter does not necessarily imply that a nuisance is being caused.

The purpose of this letter is to bring to your attention the provisions of the law with reference to noise nuisance. I would ask you to consider whether any activities on your premises could cause a disturbance to other local residents, and if so, to take whatever measures are possible to reduce the noise. Under the provisions of the Environmental Protection Act 1990, the matter may be investigated further, if it should again be brought to my attention.

You should be aware that the Council operates an out of hours service to respond to noise complaints, so it is possible that should a noise nuisance be witnessed, officers can take appropriate action at the time.

If satisfied that the complaint is justified a formal notice under section 80 of the above Act may be served specifying whatever steps are necessary to abate the nuisance and/or prevent the recurrence. Failure to comply with such a Notice would constitute an offence for which a fine of up to £20,000 (commercial) or £5,000 (residential) can be imposed on conviction.

Ian Davis  
Director - Environment  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY

Phone: 020 8379 1000  
Website: www.enfield.gov.uk



The Government Standard

Additionally, under the provisions of Section 82 of the same Act, local residents troubled by any noise nuisance may approach the Magistrates Court direct to arrange for a summons to be issued. If a summons is issued and the Magistrates are satisfied that a noise nuisance has occurred, they may impose a similar fine.

In the circumstances I would strongly urge you to consider the above information and if appropriate to ensure that any noise from activities on your premises is kept to a minimum.

However, if you feel that you have been wrongly identified or that the complaint is unjustified, please contact the officer concerned in order to discuss this matter further.

Yours faithfully

**Jeff Elliott**  
**Commercial Noise Officer**

Kosem Restaurant & Meza Bar  
500-504 Hertford Road  
ENFIELD  
EN3 5SS

Please reply to: Noise Officer  
Environment Department  
PO Box 57, Civic Centre  
Silver Street, Enfield, Middlesex. EN1 3XH  
Tel: 020 8379 1000  
Fax: 030 8379 2190  
Minicom: 020 8379 4419  
Email:  
My Ref: WK/213023498  
Your Ref:  
Date: 19th June 2013

Dear Sir/Madam,

**Environmental Protection Act 1990**  
**Alleged Noise Nuisance due to: Loud music on 15<sup>th</sup> June 2013**

It has been brought to my attention that noise possibly from your premises, is affecting local residents. This matter has not been fully investigated and this letter does not necessarily imply that a nuisance is being caused.

The purpose of this letter is to bring to your attention the provisions of the law with reference to noise nuisance. I would ask you to consider whether any activities on your premises could cause a disturbance to other local residents, and if so, to take whatever measures are possible to reduce the noise. Under the provisions of the Environmental Protection Act 1990, the matter may be investigated further, if it should again be brought to my attention.

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Ian Davis  
Director - Environment  
Enfield Council  
Civic Centre, Silver Street  
Enfield EN1 3XY

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However, if you feel that you have been wrongly identified or that the complaint is unjustified, please contact the officer concerned in order to discuss this matter further.

Yours faithfully

Victor Ktorakis  
Senior Environmental Health Officer

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	Kosem Restaurant & meze bar.	
Premises Address	500-504 Herford Rd, EN3 5SS	
Time of Visit	Start: 11.15	Finish: 11.30

During an inspection of your premises on mon 8th July 2013, 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
10	leave quietly notice to be displayed.

Any other matter(s) that need addressing: Also discussed recent noise complaints. Advised to carry out sound checks & to document them. Also to reduce bass & to keep doors & windows closed during regulated entertainment. Sound record template given.

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 TEAM	RECIPIENT OF NOTICE
Signature of Officer on visit: <u>Palmer</u>	Signature: <u>[Signature]</u>
Print Name: <u>C. PALMER</u>	Print Name & Position: <u>K. SAGLAM</u>

Licensing Enforcement, Civic Centre, Silver Street, Enfield, EN1 3XH, Tel: 020 8379 8505  
 Police Licensing Officer, Civic Centre, Silver Street, Enfield, EN1 3XH, Tel: 0208 379 6112

For queries relating to new applications, variations, transfers, vary DPS, Temporary Event Notices, address changes etc, please contact the Licensing Team on 0208 379 3578





LONDON BOROUGH OF ENFIELD

ENVIRONMENTAL PROTECTION ACT 1990 – SECTION 80

ABATEMENT NOTICE IN RESPECT OF STATUTORY NUISANCE

To: Mrs Melek Akgun  
Of: 73 Trichfield Road Enfield EN3 6AZ

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Council of the London Borough of Enfield, being satisfied of the [existence] [~~likely~~ [occurrence] recurrence]] of a noise amounting to a statutory nuisance under section [79(1) (g)] of the above Act at:

Kosari Restaurant & Morea Bar, 500-504 Trichfield Rd, Enfield, EN3 6AZ

Within the district of the said Council arising from the playing of amplified music or musical instruments on the said premises or from noise or vibration caused by human voices or other human activity within the said premises so as to create nuisance to persons in neighbouring premises.

HEREBY REQUIRE YOU as the [person responsible for the said nuisance] [~~owner~~] [occupier] of the premises, from which the noise is or would be emitted **FORTHWITH** [~~within~~ ~~day~~] from the service of this notice, to abate the same, and also HEREBY PROHIBIT the recurrence of the same and for that purpose require you to:

Not play or permit the playing of amplified music or musical instruments at such a volume so as to cause nuisance from noise, nor to cause or permit to be caused noise or vibration from human voices or other human activity.

THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the nuisance to which this notice relates is [likely to be of a limited duration such that suspension would render the notice of no practical effect]] [the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance].

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80 (4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (currently £5000, subject to alteration by Order), together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable, on summary conviction, to a fine not exceeding £20,000.

The Council may take proceedings in High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Signed Charles Le Boeuf

Dated 10/10/13

"Note - The person served with this notice may appeal against the notice to a magistrates' court within the period of twenty-one days beginning with the date on which they were served with the notice."

Address for all communications:  
London Borough of Enfield  
Environment, PO Box 57, Civic Centre, Silver Street, Enfield, EN1 3XH

Contact: C Le Boeuf Telephone: 0208 379 3687





**LICENSING AUTHORITY REPRESENTATION**

**ADDITIONAL INFORMATION**

**Name and address of premises:** Kosem Restaurant & Meza Bar  
500-504 Hertford Road  
Enfield  
EN3 5SS

**Type of Application:** Review of Premises Licence

**This document includes the details of all complaints received and all Officer Observations carried out in relation to the above premises since 16<sup>th</sup> August 2013 (i.e. the date the initial review application was submitted):**

**Saturday 17/08/13** – 00:40 - Out of Hours Officers (NEJ) carried out observations of the premises. The premises was open with several customers in the restaurant and a man playing a keyboard in the window.

**Saturday 24/08/13** – 22:40 – 22:50 - Out of Hours Officers (NEJ / JF) carried out observations of the premises. No music could be heard, no benches were outside, and nobody was drinking outside.

**Sunday 01/09/13** – 01:18 – Out of Hours Noise Officers received a noise complaint in relation to loud music coming from the premises. 01:38 - The Officers phoned the complainant who advised them that the music was not a problem at that time. A further complaint was received at 02:34 but it was not a problem when Officers phoned the complainant back at 02:55. This is an alleged breach of the licensed hours for regulated entertainment but was not witnessed by Officers on this occasion.

**Tuesday 03/09/13** – The Licensing Enforcement Team received a telephone call from one of the complainants who wanted to advise them that on Saturday 31st August 2013 going into Sunday 1st September the premises played music until 3am. The complainant stated that the music was not as loud as usual but that it was still loud enough to wake them up. They believed that on this occasion it was recorded music that was being provided. The complaint said that they had seen the manager / owner standing on the opposite side of the road appearing to be carrying out a sound checks and that the level of the music was not reduced but instead the shutters were pulled down.

**Friday 06/09/13** – 23:09 – The Out of Hours Noise Team (PB/AL) received a complaint in relation to loud music coming from the premises. They visited the complainant at 23:35 – 23:45 but were advised that the level of music had been reduced. The level was not a statutory nuisance. A further complaint was received at 00:53 and a further visit was made at 01:40. The premises was still open and music was being provided. The Officers noted that it sounded like a violin and singing. **ALLEGED BREACH OF LICENSED HOURS.** The officers went to the complainant's first floor front bedroom, with the windows closed no noise was audible. With the windows open the music was evident but only just over the background traffic. Officers felt this was not a statutory

nuisance but more of annoyance. The complaint stated that the music had been louder previously. The Officers left the premises at 01:45. The Officers did not visit the premises on this occasion.

**Friday 20/09/13** - 23:57 – 00:10 – Out of Hours Licensing Enforcement Officer (NEJ/CLB) carried out observations outside the premises. There was no music being provided but the premises was open. The Officers entered the premises and spoke to the DPS and advised her that she needed to manage sound level when music was being provided to ensure that noise levels not cause nuisance to neighbours. They also advised the DPS of the further noise complaints received. The Officers checked the outstanding conditions. C10 – leave quietly notice now met, C19 – music should not disturb local residents - met that night as none being provided. Licence review notice was displayed. The Officers issued an inspection report which was signed by the DPS's husband, K Saglem. No noise records kept, despite this being advised as best practice previously by Officers.

**Sunday 22/09/13** – 01:58 Out of Hours Noise Officers (CLB/PF) received a noise complainant in relation to loud music coming from the premises. The Officers parked opposite the Esso Petrol Station on Hertford Road and could hear live music coming for the restaurant. The Officers visited the complainant and assessed music levels from their first floor front bedroom. With the front double glazed windows shut music was barely audible, but with the window open the music was clearly audible and would make normal use of the room difficult. It was clearly audible over road traffic noise which was light in volume due to the time. The Officers were of the opinion that the level of the music was a statutory nuisance and therefore a **BREACH OF THE NOISE ABATEMENT NOTICE THAT HAD PREVIOUSLY BEEN SERVED** was established. This is also an **ALLEGED BREACH OF THE LICENSED HOURS FOR LIVE MUSIC AND CONDITION 19 OF THE LICENCE**. The Officers visited the premises and met the manager/husband of the DPS. When asked to, he reduced the music level. When asked why the music was being provided after the licensed hours he was unable to answer. The doors and windows of the premises were closed and 4 male customers were sitting at a table outside. The premises appeared to be fully open with people inside. The manager agreed music levels needed to be reduced and apologised. There was no evidence that sound checks were being carried out.

**Saturday 28/09/13** – 01:14 - Out of Hours Noise Officers (MPW/NBS) received a complaint about loud music coming from the premises. They visited the complainant at 01:40. Music could be heard in the front bedroom but only slightly above traffic noise with the windows open. **ALLEGED BREACH OF LICENSED HOURS**. At 01:50 the volume of music went up. Once the traffic noise died down the music appeared louder. The Officers visited the premises to speak to them regarding the complaint and to find out why they were breaching their licence by playing music after 01:30. Music was playing in the form of a live band with 2/3 musicians and people were dancing on a dance floor. **ALLEGED BREACH OF THE FACILITIES FOR DANCING HOURS**. On arrival at the premises the Officers met with Mr Karaman Saglam who identified himself as the manager, the Officer asked him if Mrs Saglam was there and they were told that she was the person in charge and that she was in the office upstairs. The Officers said that they would like to speak to her. While they waited for her the Officers explained to Mr. Saglam why they were there and he was apologetic in the first instance. A young man then came over and asked if he could help. The Officers said that they wanted to speak to Mrs Saglam and he agreed to go and call her. The Officers waited for sometime then went into the rear of the premises with Mr Saglam. He went up the metal staircase and came back down saying that Mrs Saglam was not there and that she had gone to drop someone off. The Officers asked him to phone her as they were waiting to speak to her. Eventually the music completely stopped at 02:00hrs and then

a few seconds later Mrs Saglam came into the premises and went behind the bar. The Officers asked her if she was aware of the hours and conditions of her licence she said that she was. The Officers asked her why the music was being played after the times permitted by the licence. She did not answer that question and the Officers noted that she appeared not to care. The Officers reminded her that the licence was being reviewed and that she needed to comply with the conditions of the licence. She and Mr Saglam advised that they wanted longer hours and they were advised that if they couldn't comply with the current conditions of the licence they couldn't expect to be granted longer hours. The Officers advised that the review could result in the licence being taken away all together or regulated entertainment being removed from the licence as they had continued to breach their licence. Mrs Saglam advised the Officers that she had spent a large sum of money on acoustic curtains which had been put up at the window. These were gold in colour. The Officers advised that these were not effective as music could be heard once the doors were open. The young man who the Officers believed may have been her son stated that if a customer comes in and spends over £600.00 on food and asks for the music to be played for a longer period of time then they should be allowed to give the customer what they want. The Officer advised that was not the case and that they should be advising customers that they are not allowed to play music beyond 01:30. By this time the Officers were being surrounded by customers as well as band members, Mr and Mrs Saglam and their son so decided to leave the premises. A member of the band told the Officers that one Saturday they'd had a visit from the council on a day that they weren't playing any music. The Officers advised him that the visit may have been a tasking visit from the Licensing Enforcement team rather than as a result of a direct noise complaint. The young man then said to the Officers that if the Officers write a good report for them and did not say what had happened then they would be able to have another chance. The Officers said no and left the premises at approximately 02:20.

**Saturday 05/10/13** – Police visited the premises at 01:30 and live music was still being provided during their visit (**ALLEGED BREACH OF LICENSED HOURS**).

**Sunday 06/10/13** – 01:02 - Out of Hours Noise Officers (DD/PH) received a complaint in relation to loud music coming from the premises. The Officers rang the complainant at 02:05 as they said the music was still going on them agreed to visit. 02:15 – Visited premises – closed.

**Sunday 06/10/13** – Out of Hours Licensing Officers (CT/JRS) arrived at premises at 01:40. There was no music audible but there were a few people inside who could be seen sitting at tables inside. The Officers entered the premises. There was no music, dancing or any sign of musicians. The DPS, Melek Akgun was on site advised the Officers that they had finished at 01:30 as per the licence conditions. The Officer asked who the usual band were and the DPS said that they only use one now (Volcan and Ersan) as the other two they had employed previously were too loud. She said they the premises employs the band directly and that the details had been given to the police who had visited the previous evening. There were 3 tables with customers sitting at them making a total of 9 people in the premises. All were finishing food/drinks - plates were being cleared from tables. The bar was closed and no further drinks were being provided. There were no licensable activities seen at the time of the visit. The Officers left the premises at 02:00.

**Sunday 13/10/13** – 00:55 – Out of Hours Noise Officers (RB/EB) received a complaint in relation to loud music coming from the premises. 01:25 – Officers spoke to the complainant and agreed to visits the premises. 02:07 – Officers visited the premises, there was no music coming from the premises but at least ten people were still inside eating. (**ALLEGED BREACH OF LICENSED HOURS**).

### **In conclusion**

The fact that these problems have occurred after a Noise Abatement Notice has been served and after a Review Application has been submitted demonstrates a total disregard for the law and that those running the premises have not taken this matter at all seriously. It also demonstrates that they have no respect or consideration for the needs of local residents. The owner of the premises is fully aware of their licensed hours and of the complaints and seems unwilling rather than incapable of controlling activities at the premises.

In total sixteen complaints have been received in relation to loud music coming from this premises in approximately four months.

Prosecution proceedings have been instigated in relation to twelve alleged breaches under the Licensing Act 2003 and one alleged breach under the Environmental Protection Act 1990.

The continued alleged offences and noise issues being created by this premises have lead me to the conclusion that this premises should not be licensed.

### **I therefore recommend that this licence be REVOKED.**

Detailed below are further recommendations to be considered should the Licensing Committee decide not to revoke the licence in it's entirety.

I would strongly recommend that regulated entertainment be removed from the licence as detailed below:

<b>Activity</b>	<b>Current Hours</b>	<b>Recommended Hours</b>
Opening	24 hours	Mon – Sun - 09:00 – 23:30
Alcohol (on sales)	Sun – 12:00 – 23:30 Mon – Sat 11:00 – 00:00	Mon – Sun - 09:00 – 23:00
Recorded Music	Sun – Wed - 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Remove
Live Music	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Remove
Performance of Dance	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Remove
Facilities for Making Music	Sun – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Remove
Facilities for Dancing	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Remove
LNR	Sun – Thurs 23:00 – 00:30 Fri – Sat 23:00 – 01:30	Mon – Sun - 09:00 – 23:30

I have also come to the conclusion that the current DPS should be removed from the licence (if it is not revoked) and that there is a need for a personal licence holder to be on the premises at all times. I recommend that the new DPS not be the current DPS'

husband Mr Saglam as he works at the premises and also seems unwilling to comply with the current licence.

The plans attached to the premises licence do not appear to be accurate and do not show the fire exit leading from the back of the premises. New plans must be submitted via a variation application as it is an offence to use the licence without the accurate plans.

Detailed below are further amendments to the conditions:

### **Current Conditions**

13. Dancing shall only be permitted on the designated dance floor. **IF REGULATED ENTERTAINMENT IS REMOVED FROM THE LICENCE THIS CONDITION SHOULD ALSO BE REMOVED.**

### **Additional Conditions To Be Added To The Licence**

(as requested in the initial review application)

- ~ 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. **IF REGULATED ENTERTAINMENT IS REMOVED FROM THE LICENCE THIS CONDITION WILL NOT BE REQUIRED.**
- ~ The management shall make subjective assessments of noise levels outside at the perimeter of the premises 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. **IF REGULATED ENTERTAINMENT IS REMOVED FROM THE LICENCE THIS CONDITION WILL NOT BE REQUIRED.**
- ~ All visiting performers providing live or recorded music at the premises shall be briefed prior to events taking place with regard to the premises licence conditions relating to noise and maximum sound levels. They must sign a booking form confirming they have been informed of and understand the terms of use. These booking forms must be kept for six months and must be made available to an authorised officer of the Council or police, upon request. If regular performers are employed this can be done on a monthly basis with times and dates being specified on the booking form. **IF REGULATED ENTERTAINMENT IS REMOVED FROM THE LICENCE THIS CONDITION WILL NOT BE REQUIRED.**

### **Further additional conditions**

- ~ As a result of a licence review, the premises shall not be used for the provision of any of the following activities: a performance of a play; an exhibition of a film; an indoor sporting event; a boxing or wrestling entertainment; a performance of live music, a playing of recorded music; a performance of dance; an entertainment of similar description to a performance of licence music, a playing of recorded music or a performance of dance.”

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: 0208 379 8543 or [charlotte.palmer@enfield.gov.uk](mailto:charlotte.palmer@enfield.gov.uk)

A handwritten signature in cursive script that reads "Palmer".

Signed:

Date: 16/10/2012

ANNEX 04


**METROPOLITAN  
POLICE**
**Working together for a safer London**

### POLICE REPRESENTATION

**Name and address of premises:** Kosem Restaurant & Meza Bar,  
500-504 Hertford Road,  
Enfield.  
EN3 5SS.

**Type of Application:** Review

**Worksheet number:** WK/213042809

#### The Application

Enfield Licensing Authority are seeking to review the premises licence on the grounds that music from the premises causes a nuisance to local residents.

This review is based on:

- **The prevention of public nuisance**

The review application is to reduce the licensed hours and to amend / add further conditions to strengthen the licensing objectives.

Detailed below are the current and recommended licensed times, licensable activities and licence conditions:

<b>Activity</b>	<b>Current Hours</b>	<b>Recommended Hours</b>
Opening	24 hours	Mon – Sun - 09:00 – 23:30
Alcohol (on sales)	Sun – 12:00 – 23:30 Mon – Sat 11:00 – 00:00	Mon – Sun - 09:00 – 23:00
Recorded Music	Sun – Wed - 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
Live Music	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
Performance of Dance	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
Facilities for Making Music	Sun – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
Facilities for Dancing	Mon – Wed 09:00 – 23:00 Thurs 09:00 – 00:30 Fri – Sat 09:00 – 01:30	Sun - Weds - 09:00 – 23:00 Thurs – Sat 09:00 – 23:30
LNR	Sun – Thurs 23:00 – 00:30 Fri – Sat 23:00 – 01:30	Mon – Sun - 09:00 – 23:30

This premise is located within the **Enfield Highway Cumulative Impact Policy Area** and the reduced times requested in this review would bring the licensed hours within the maximum hours permitted by the policy. The current hours exceed those recommended in the Cumulative Impact Policy. As stated in the licensing policy (9.26) there is evidence that problems of crime & disorder, public nuisance are generally associated with longer and later hours.

Several complaints have been made by local residents and Enfield Council have conducted several visits to the premises. These visits have resulted in a noise notice being served and demonstrate that the current conditions attached to the premises licence need to be strengthened to further support the licencing objections.

I therefore support this review application and believe that the conditions and times should be amended as recommended by the licencing authority.

Officer: Roger Wilson Pc 366YE

Tel: 0208 379 6112

pp. Martyn.Fisher@Enfield.Gov.uk

Date: 19<sup>th</sup> August 2013