

MUNICIPAL YEAR 2014/15

COMMITTEE :
Licensing Sub-Committee
6 August 2014

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda Part 1	Item 3
SUBJECT : Application to review a premises licence	
PREMISES : Golden Palace C38 & C42, 35 Harbet Road, Edmonton N18	
WARD : Upper Edmonton	

1 LICENSING HISTORY & CURRENT POSITION

- 1.1 On 4 December 2008 an application by **Mr Ediz Hastunc** for a new Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.2 On 19 January 2010 an application by **Mr Ediz Hastunc** for variation of the Premises Licence, which was not subject to any representations, 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 06:30 to 03:00 the following day and on St Valentine's Day, St Patrick's Day, St George's Day & Christmas Eve from 06:30 to 04:00 the following day.
 - 1.3.2 **Supply of alcohol (on supplies only)** : Sunday from 15:00 to 02:00 the following day, on Monday to Saturday from 11:00 to 02:00 the following day and on St Valentine's Day, St Patrick's Day, St George's Day & Christmas Eve from 11:00 to 03:30 the following day.
 - 1.3.3 **Live music & Performance of dance** : Sunday to Saturday from 15:00 to 01:00 the following day.
 - 1.3.4 **Recorded music** : Sunday to Saturday from 07:00 to 03:00 the following day and on St Valentine's Day, St Patrick's Day, St George's Day & Christmas Eve from 07:00 to 04:00 the following day.
 - 1.3.5 **Facilities for dancing** : On 1 October 2012 the Live Music Act 2012 amended the Licensing Act 2003 and this activity ceased to be a licensable activity.
 - 1.3.6 **Late night refreshment** : Sunday to Saturday from 23:00 to 01:30 the following day and on St Valentine's Day, St Patrick's Day, St George's Day & Christmas Eve from 23:00 to 04:00 the following day.
- 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 15 July 2014 the Metropolitan Police Service applied for a Summary Review of the Premises Licence.
- 2.2 A copy of the application is attached as Annex 03.
- 2.3 On 17 July 2014 the Licensing Sub-Committee considered that it wasn't necessary to take any interim steps.
- 2.4 A copy of the decision notice is attached as Annex 04.
- 2.5 The application was advertised in accordance with the requirements of the Licensing Act 2003.
- 2.6 Each of the Responsible Authorities were consulted in respect of the application.
- 2.7 This hearing constitutes a full review of the licence, as required by the Summary Review statutory procedure.

3 **RELEVANT REPRESENTATIONS** :

- 3.1 **Metropolitan Police** : Representation is made on the grounds of the prevention of crime & disorder and public safety. The authority considers that it is appropriate, for the promotion of the licensing objectives, to revoke the licence.
 - 3.1.1 A copy of the representation is attached as Annex 05.
- 3.2 **Licensing Authority (including Licensing Enforcement, Environmental Health, Trading Standards, Planning, Health & Safety and Children's Services)** : Representation is made on the grounds of the prevention of crime & disorder and public safety. The authority considers that it is appropriate, for the promotion of the licensing objectives, to revoke the licence.
 - 3.2.1 A copy of the representation is attached as Annex 06.

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 June 2014 ('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.

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