

MUNICIPAL YEAR 2014/15 REPORT NO.

COMMITTEE :
Licensing Sub-Committee
15 October 2014

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT : Application for a variation of a premises licence	
PREMISES : Dillons 4 – 6 Station Parade, Southgate N14	
WARD : Southgate	

1 LICENSING HISTORY & CURRENT POSITION :

Licence No. 1 : LN/200500133
Premises known as : Southgate Snooker Club

- 1.1 On 11 May 2005 an application by Mr Halil Cifti to convert an existing Justices On Licence to a Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.2 On 25 September 2007 an application by Mr Muzaffer Ergiden for transfer of the Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.3 On 7 April 2011 Mr Ergiden surrendered the Premises Licence and the premises became unlicensed.

Licence No. 2 : LN/201100833
Premises known as : Southgate Snooker Club

- 1.4 On 20 January 2012 an application by Mr Dilip Parmar for a new Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.5 On 19 April 2013 an application by **Mr Marios Eugenios Ioannou** for transfer of the Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.6 On 27 November 2013 an application by **Mr Marios Eugenios Ioannou** for a variation of the Premises Licence so as to extend the hours for the sale of alcohol, which was subject to representations from the Metropolitan Police Service and the Licensing Authority, was withdrawn.
- 1.7 On 20 December 2013 an application by **Mr Marios Eugenios Ioannou** for a minor variation of the Premises Licence so as to amend the premises plan, which was not subject to any representations, was granted by officers in accordance with delegated powers.

Premises known as : Dillons

- 1.8 On 7 August 2014 an application by **Mr Marios Eugenios Ioannou** to specify Mr Constantinos Ioannou as the Designated Premises Supervisor on the Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.9 The current Premises Licence permits :
- 1.9.1 **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).
- 1.9.2 **Supply of alcohol (on supplies)** : Sunday from 12:00 to 22:30, on Monday to Saturday from 10:00 to 23:00, on Good Friday from 12:00 to 22:30, on Christmas Day from 12:00 to 15:00 & from 19:00 to 22:30 and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
- 1.9.3 **Late night refreshment** : Sunday from 23:00 to 00:00 and on Monday to Saturday from 23:00 to 05:00 the following day.
- 1.10 A copy of a location map of the premises is attached as Annex 01.
- 1.11 A copy of the current Premises Licence is attached as Annex 02.

2 THIS APPLICATION :

- 2.1 Application is made by **Mr Marios Eugenios Ioannou** to vary the Premises Licence. The application seeks :
- 2.1.1 **Hours the premises are open to the public** : no change.
- 2.1.2 **Supply of alcohol (on)** : Sunday to Thursday no change, on Friday and Saturday from 10:00 to 03:00 the following day, on Good Friday, Christmas Day and New Year's Eve no change.
- 2.1.3 **Live music, Recorded music & Performance of dance** : Sunday to Thursday none and on Friday and Saturday from 23:00 to 03:00 the following day.
- 2.1.4 **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.
- 2.1.5 **Late night refreshment** : no change.
- 2.2 The application was advertised in accordance with the requirements of the Licensing Act 2003.
- 2.3 Each of the Responsible Authorities were consulted in respect of the application.
- 2.4 A copy of the application is attached as Annex 03.

3 **RELEVANT REPRESENTATIONS :**

3.1 **Metropolitan Police** : Representation is made on the grounds of the prevention of crime & disorder and the prevention of public nuisance. The authority considers that it is appropriate, for the promotion of the licensing objectives, to reject the application.

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

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 public nuisance. The authority considers that it is appropriate, for the promotion of the licensing objectives, to reject the application.

3.2.1 A copy of the representation is attached as Annex 05.

4 **RESPONSE TO THE REPRESENTATIONS :**

4.1 On 22 September 2014 the applicant provided a statement to rebut the policy presumption that this application will be rejected.

4.2 A copy of the statement is attached as Annex 06.

5 **PROPOSED LICENCE CONDITIONS :**

5.1 The conditions arising from this application are attached as Annex 07, all are agreed.

6 **RELEVANT LAW, GUIDANCE & POLICIES :**

- 6.1 The paragraphs below are extracted from either :
- 6.1.1 the Licensing Act 2003 ('Act'); or
- 6.1.2 the Guidance issued by the Secretary of State to the Home Office of June 2014 ('Guid'); or
- 6.1.3 the London Borough of Enfield's Licensing Policy Statement of April 2012 ('Pol').

General Principles :

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

- 6.3 The licensing objectives are :
 - 6.3.1 the prevention of crime and disorder;
 - 6.3.2 public safety;
 - 6.3.3 the prevention of public nuisance; &
 - 6.3.4 the protection of children from harm [Act s.4(2)].

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

- 6.5 The Sub-Committee may not have regard to whether or not a proposal is likely to be permitted in accordance with the law relating to planning or building [Pol s.18.1].

Cumulative Impact Policy :

- 6.6 The applicant premises/club premises is located in the Southgate Cumulative Impact Policy Area [Pol s.9.21/22].

- 6.7 The application is for a full variation of a premises licence [Pol s.9.21/22].

- 6.8 The application is subject to a relevant representation [Pol s.9.21/22].

- 6.9 Therefore the Cumulative Impact Policy applies to this application [Pol s.9.21/22].

- 6.10 The Core Hours for this application are :
 - 6.10.1 Sale/supply of alcohol (on supplies only) when subject to a condition that "alcohol shall not be supplied other than as ancillary to a substantial table meal" : Monday to Sunday Indoors only 10:00 to 00:00 [Pol s.9.23.2].
 - 6.10.2 Live music, Recorded music & Performance of dance : Monday to Sunday Indoors and/or outdoors 09:00 to 23:00 [Pol s.9.23.5].

- 6.11 The Council's policy is that this application (which is outside the Core Hours set out above) is subject to the presumption against grant that is implicit in a cumulative impact policy [Pol s.9.22].
- 6.12 Where the cumulative impact policy applies to an application, applicants are expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy [Guid 8.35].

Decision :

- 6.13 As a matter of practice, the Sub-Committee should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas [Guid 9.33].
- 6.14 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to:
- 6.14.1 the steps that are appropriate to promote the licensing objectives;
 - 6.14.2 the representations (including supporting information) presented by all the parties;
 - 6.14.3 the guidance; and
 - 6.14.4 its own statement of licensing policy [Guid 9.34].
- 6.15 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 :
- 6.15.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
 - 6.15.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - 6.15.3 to refuse to specify a person in the licence as the premises supervisor;
 - 6.15.4 to reject the application [Act s.18].

Background Papers :

None other than any identified within the report.

Contact Officer :

Mark Galvayne on 020 8379 4743



Dillons, Station Parade, Southgate Circus, LONDON, N14 5BH

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



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Scale: 1:1250

Dwg.No. 6600EQ

Date: 30/09/2014

Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : LN/201100833

Part 1 – Premises Details

Postal address of premises :

Premises name : Dillons

Telephone number : Not provided

Address : Station Parade Southgate Circus LONDON N14 5BH

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 - 22:30
Monday :	10:00 - 23:00
Tuesday :	10:00 - 23:00
Wednesday :	10:00 - 23:00
Thursday :	10:00 - 23:00
Friday :	10:00 - 23:00
Saturday :	10:00 - 23:00
Good Friday : 12:00 - 22:30	
Christmas Day : 12:00 - 15:00 & 19:00 - 22:30	
New Years Eve : from the end of permitted hours on New Year's Eve to the start of permitted hours on New Years Day	

(3) Late Night Refreshment - Indoors

Sunday :	23:00 - 00:00
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Monday :	23:00 - 05:00
Tuesday :	23:00 - 05:00
Wednesday :	23:00 - 05:00
Thursday :	23:00 - 05:00
Friday :	23:00 - 05:00
Saturday :	23:00 - 05:00

Part 2

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

Name : Mr Marios Eugenios Ioannou

Telephone number : 07956 598248

e-mail : mario@paramounthealthandfitness.co.uk

Address : 30 Ridings Avenue, LONDON, N21 2EL

Registered number of holder (where applicable) :

Not applicable

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

Name : Not applicable

Telephone number :

Address :

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

Name : Mr Constantinos Ioannou

Telephone number : Not provided

e-mail : Not provided

Address : 65 Rose Glen, Romford, Essex, RM7 0SL

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 : 023329

Issuing Authority : London Borough of Barking and Dagenham

Premises Licence LN/201100833 was first granted on 20 January 2012.

Signed : 

Date : 7th August 2014

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. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.**
- 4. A digital CCTV system must be installed in the premises complying with the following criteria: (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, floor areas and stairways; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time, and place of any image; (7) Provide good quality images - colour during opening times; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) Police will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police or authorised local authority employees on request.**
- 5. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.**
- 6. The designated person should take reasonable steps to ensure that all employees understand their responsibilities under the Code of Practice for Equal Chance Gaming in Clubs and Premises with an Alcohol Licence.**

7. The DPS shall keep all members of the social club up to date with limits on stakes and prize moneys with regards to equal chance gaming in clubs and premises with an alcohol licence.

8. An up to date copy of the Code of Practice for Equal Chance Gaming in Clubs and Premises with an Alcohol Licence shall be kept on the premises and be made available for customers should they so wish.

9. All staff involved in the sale of alcohol 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.

10. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept for a minimum of two years. These records must be made available to the Police and/or Local Authority upon request.

11. The Local Authority or similar proof of age scheme shall be operated and relevant material shall be displayed at the premises. Only passport, photographic driving licences or ID with the P.A.S.S. logo (Proof of Age Standards Scheme) may be accepted.

12. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

13. Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00.

14. Children shall not be permitted to enter or remain on the premises after 23:00.

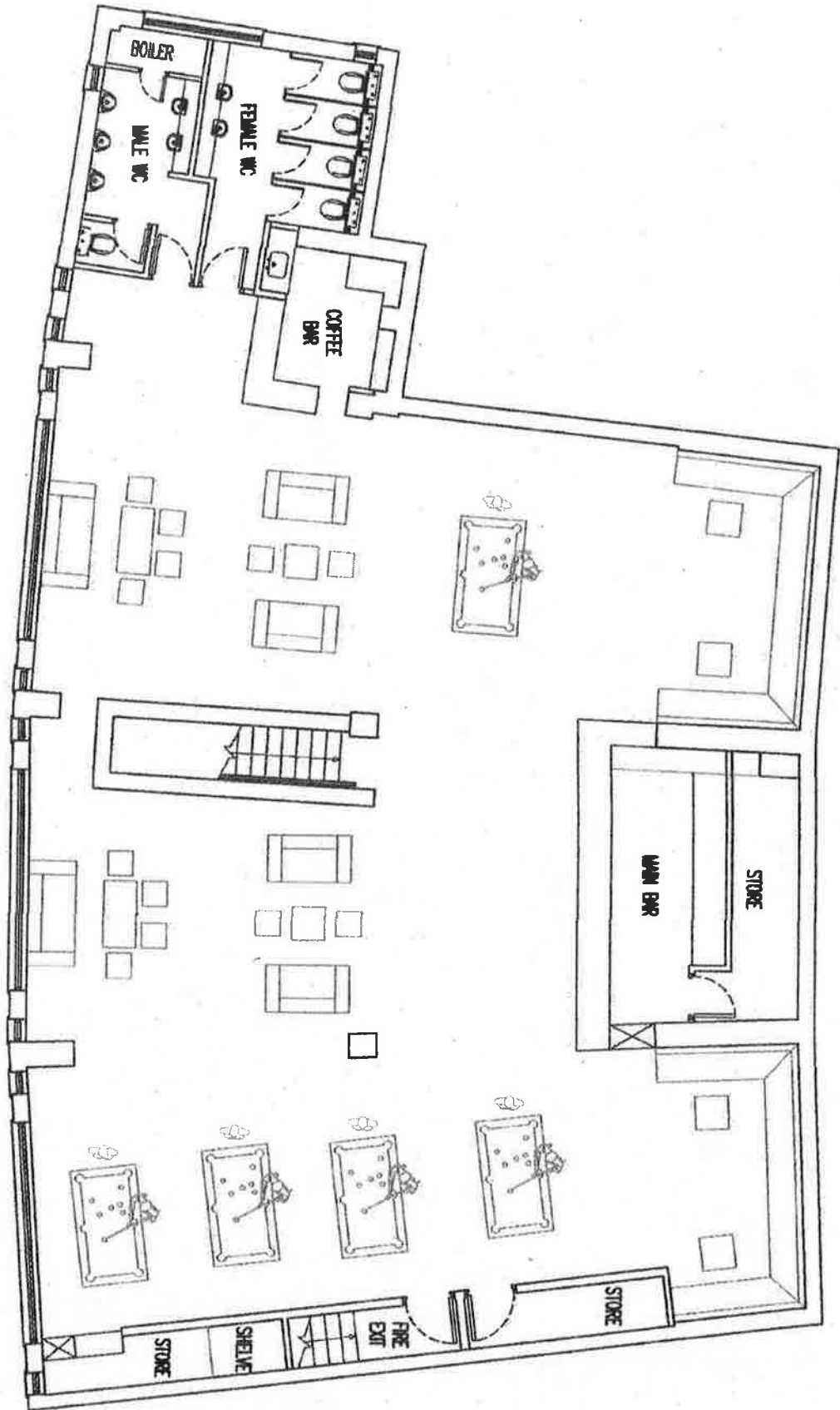
15. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

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

Not applicable

Annex 4 - Plans

1
FIRST FLOOR PLAN
1:100



SCALE 1:100
1m 2m 3m

WK/214 033280

ANNEX 03
CHG 190.00
018249

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We Marios Ioannou

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

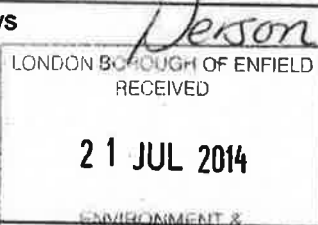
Premises licence number LN/201100833
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Dillons, Station Parade, Southgate Circus			
Post town	London	Post code	N14 5BH

Telephone number at premises (if any)	07956598248
Non-domestic rateable value of premises	£12750

Part 2 – Applicant details

Daytime contact telephone number	07956598248		
E-mail address (optional)	mario@paramounthealthandfitness.co.uk		
Current postal address if different from premises address	3 Hill Leys Cuffley		
Post Town	Hertfordshire	Postcode	EN6 4QF

Premises Licence Sden [Signature] 21/7/14

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

I Propose to extend my alcohol and Live entertainment hours for Friday and Saturday from 11pm to 3am. This will not have any effect to our current opening times or cumulative impact on the area since we are already open.

I feel that by increasing the hours of sale it will stop binge drinking and people purchasing more alcohol before 11pm and sitting there all night with a couple of bottles, since consumption is not licensable.

I would also propose that I will only be able to serve alcohol to those people that have a table meal at our premises after 11pm and who are also members of the club and would enforce a reasonable drinking up time and clear all tables by a certain time after 3am

I would also ensure that our front door is supervised by an approved security contractor which would ensure that people would leave quietly.

We have had a couple of late TENs this year and I feel that I have shown that we are able to work with the hours I am proposing with no problems.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

E

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

F

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

G

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

L

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

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri	10.00	03:00		
Sat	10.00	03:00		
Sun				
			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Monday to Thursday and Sunday hours to remain as existing.	

N

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p> <p>None</p>
--

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The operation of the premises will be in accordance with the Club Rules (attached).

b) The prevention of crime and disorder

At least one SIA door supervisors will be on duty at all times when regulated entertainment is taking place.

Alcohol shall not be sold or supplied on the premises during the extended hours between 23.00 and 03.00 otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

c) Public safety

The existing conditions are adequate to promote the licensing objectives.

d) The prevention of public nuisance

Signs will be displayed at the exit reminding customers that they are not permitted to take drinks or glass containers with them.

Signs will be displayed at the exit reminding customers that they must not drop cigarette butts or litter on the floor.

Staff will call Taxis / Mini cabs for the use of customers leaving the premises when requested to do so.

Windows and doors will not be left open when regulated entertainment is taking place to prevent the escape of noise.

e) The protection of children from harm

Persons under the age of 18 will not be permitted entry to the premises.


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	21/7/14
Capacity	AUTHORISED AGENT

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

J & H LICENSING CONSULTANTS
35 CONNAUGHT AVENUE
ENFIELD

Post town	MIDDLESEX	Post code	EN1 3BE
Telephone number (if any)	0208 367 0705		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) trev.jenny@btinternet.com			



**METROPOLITAN
POLICE**

Working together for a safer London

POLICE REPRESENTATION

Name and address of premises: Dillon's
Station Parade
Southgate circus
Southgate
N14 5BH

Type of Application: Variation

Worksheet number: WK/214033280

The Application

This is an application to vary an existing premises licence for Fridays and Saturdays as follows;

	Current Hours	Proposed Hours
	Friday/Saturday	Friday/Saturday
Live Music	N/A	23:00 – 03:00
Recorded Music	N/A	23:00 – 03:00
Performance of dance	N/A	23:00 – 03:00
Facilities for Making Music	N/A	23:00 – 03:00
Facilities for dancing	N/A	23:00 – 03:00
Supply of alcohol	10:00 – 23:00	10:00 – 03:00
Opening Hours	00:00 – 00:00	00:00 – 00:00

All other licensable activity will remain the same throughout the week.

Location

This premises is a former snooker club that is situated on the first floor of TFL retail properties surrounding Southgate Tube Station. The entrance to the venue is in Crown Lane which has a number of residential properties above shops directly opposite and houses approximately 75 yards nearby also in Crown Lane.

Cumulative Impact Policy

London Borough of Enfield

Licensing Act 2003

Licensing Policy Statement (Fourth Edition 1 April 2012)

- 9.21 Any applications for new premises licences and/or club premises certificates and/or provisional statements and any applications for variations of those authorisations for hours within the limits set out (referred to as Core Hours) for premises and/or clubs inside the cumulative impact policy areas will generally be granted, subject to consideration of any representations about the way in which the application will promote the licensing objectives.
- 9.22 Any applications for new premises licences and/or club premises certificates and/or provisional statements and any applications for variations of those authorisations for hours outside the limits set out (referred to as Core Hours) for premises and/or clubs inside the cumulative impact policy areas will, when subject to relevant representations, be subject to the presumption against grant that is implicit in a cumulative impact policy.

This premise is within Enfield Boroughs Cumulative Impact Policy area (Southgate). Hours sort are outside the limits set out and as such, section 9.22 refers.

Where the hours applied for exceed those specified in the CIP there is a presumption that the application will be refused.

In summary I wish to make representation on the following:

- Prevention of crime & disorder
- The prevention of public nuisance

As outlined in the Cumulative Impact Policy, this area is already is of concern in relation to crime and disorder and public nuisance.

I am of the firm belief that if this premises were to be permitted to sell alcohol and provide regulated entertainment on Fridays and Saturdays in this location, it would very likely lead to increased incidents of crime & disorder with customers being able to consume alcohol for a much longer period and public nuisance by way of noise.

The proximity of the entrance to residential properties is such that the coming and going of customers at such a potentially late hour would cause noise nuisance

Core Hours

9.23.1 Sale/supply of alcohol (On supplies only)
Monday to Sunday Indoors and/or outdoors 10:00 – 23:00

9.23.5 Live music, recorded music, performance of dance, Facilities
for making music and/or Facilities for dancing:
Monday – Sunday Indoors and/or outdoors 09:00 to 23:00

In line with the Council's CIP and to ensure that local residents are not disturbed I object to this application in its entirety.

If this application were granted in full or part, I would recommend the following alteration be made to the licence conditions to further promote the licensing objectives.

PLEASE REFER TO ANNEX 07

If these conditions were accepted in full I would withdraw my representation.

Officer: Martyn Fisher PC 357YE

Tel: 0208 379 6112

Martyn.Fisher@Enfield.Gov.uk

Date: 4th August 2014

ANNEX 05



LICENSING AUTHORITY REPRESENTATION

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

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

Name and address of premises: Dillons
Station Parade
Southgate Circus
N14 5BH

Type of Application: Variation Premises Licence

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

Background History:

This is a variation application to increase the licensed hours as follow:

Activity	Current Hours	Proposed Hours
Opening	24 hours everyday	No change
Alcohol (on sales)	10:00 – 23:00 – Mon – Sat 12:00 – 22:30 Sun	No change - Sun – Thurs Fri – Sat 23:00 – 03:00
LNR	23:00 – 05:00 Mon – Sat 23:00 – 00:00 Sun	No change
Live Music Recorded Music Performance of Dance Facilities for Making Music Facilities for Dancing	Unlicensed	Fri – Sat 23:00 – 03:00

I have spoken to the applicant about the hours he has applied for regulated entertainment for and he was under the impression that regulated entertainment did not require a licence prior to 23:00. I have advised him regarding this but he does not want to amend the application at this stage.

History:

This premises licence was transferred to the current licence holder in April 2013. The DPS was varied to Martin Ashley at the same time. A variation application to extend the hours for the sale of alcohol was submitted in September 2013 but the application was later withdrawn. A minor variation to amend the plan attached to the licence was granted in December 2013.

Friday 03/01/14 – 19:30 – 19:50 Out of Hours Licensing Enforcement Officers (CT & AA) arrived at the premises. There were no customers, only two people who were the

owner, Marios Ioannou and another member of his family who was helping out. He said they had refitted the premises and had 3 pool tables on order. They only had one at the time of the visit. The officers were advised that the premises was being run as a members social club and that the DPS - Martin Ashley was on holiday. The owner said he had received a letter from the Licensing team advising him needed to formally change the name of the premises to Dillons as that was what it was now called. Officers also advised that he needed to send in a letter to update the address of the DPS.

Saturday 01/02/14 - MSC Licensing Task Force (police) visited the premises. On arrival officers spoke to the duty manager as the DPS Mr Martin Ashley was apparently on holiday until the following week. The officers asked the manager to inform Mr Ashley to contact the council as soon as he got back as they wanted to speak to him about his address. The music in the venue was above background level and the premises was not licensed for music so the officer advised that it be reduced. There were a number of alcohol bottles on the tables and the officers checked the till receipt as it was after 23:00 hours. The till receipt only showed the total price and was not itemized, the alcohol had already been consumed or was in the process of being drunk. No alcohol was sold whilst the officers were on the premises. From the outside the music could not be heard, but once inside it was obvious and loud once the door was open.

14/02/14 – 16/02/14 23:00 – 02:00 - TEN in place

Saturday 15/02/14 – 22:30 - Out of Hours Noise Officers (PB & IA) visited the premises. On arrival there was a sign up saying 'Private Party'. Officers noted that the premises appeared to be operating as a nightclub, with only one pool table but apparently 4 more on order. No one was playing pool. The premises did appear to be open to the public as the officers were able to walk straight in. Staff advised that they open Mon to Sun 17:30 - 23:00. No food was seen. Officers were unable to check CCTV for 31 days.

15/03/14 – 16/03/14 23:00 – 02:00 – TEN in place

Sunday 17/03/14 – Complaint from local resident regarding loud music coming from the premises on Saturday 15/03/14 until around 2:30. The complainant also claimed to be disturbed by shouting coming from people standing outside or leaving the premises.

Tuesday 19/03/14 – PLH advised of complaint.

Friday 21/03/14 - MSC Licensing Task Force visited the premises. On arrival officers made themselves known to the manager, Checks conducted. Manager was asked about the whereabouts of the DPS a Mr Martin Ashley. The manager seemed evasive of questions when asked for any details though officers did manage to get a contact number from him.

Monday 24/03/14 – PC Fisher spoke to Mr Marios Ioannou on the telephone and discussed the whereabouts of the DPS, Mr Martin Ashley. Mr Ioannou informed PC Fisher that he has now passed and applied for his own personal licence. He was advised to vary the DPS into his own name. This advice was followed up in an email.

Friday 06/06/14 – 23:15 - Complaint received in relation to loud music and talking which had allegedly started at 20:30. Officer visited at 23:45 but the noise was no longer audible.

Friday 20/06/14 – Licensing Enforcement Officer (CPX) phoned PLH who advised they are in the process of submitting a vary DPS application. CPX sent email to owner with a link to the council's website where Vary DPS application forms could be downloaded.

Tuesday 15/07/14 - Licensing Enforcement Officer (CPX) phoned DPS and left message advising that he is on the licence as the DPS and asking him to confirm whether or not he works there.

Tuesday 22/07/14 - Phoned DPS and advised that he is still on the licence as the DPS. He advised that he left the premises several months before and that the owner had told him his name would be removed from the licence.

Friday 25/07/14 – DPS gave notice that he no longer works at the premises. Licensing Enforcement Officer advised premises licence holder that the DPS had given notice that they no longer worked at the premises and that no alcohol could be sold until a vary DPS application had been submitted. Vary DPS application submitted later that day

Planning:

The current permitted use of the premises is for a Snooker Club which falls under use class D2.

It appears that the owner wants to run this premises as a drinking establishment which would require A4 planning permission or a nightclub which would be Sui Generis. The owner has already been advised of this by the Planning Enforcement Team. To date no planning applications have been submitted for the change of use and so formal enforcement action is being considered.

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

I spoke to the applicant on 05.08.14 and he confirmed that there is currently still only one pool table at the premises

Public Nuisance:

The premises is at the back of Southgate tube station facing shops on Crown Lane. This premises is located in a mixed residential and commercial area. There are residential properties further down Crown Lane and also above some of the shops on Crown Lane.

Public Safety:

This premises is located on the first floor and is accessed via a narrow staircases. The doors at the bottom of the staircase open inwards. I am concerned that exit in an emergency situation could be difficult and therefore recommend that the maximum capacity of the premises be 60 people.

Cumulative Impact Policy (CIP)

This premises is located in one of the Enfield Council's Cumulative Impact Policy Areas, namely Southgate.

The CIP came into force in April 2012 and relates to all new and variation applications and states that the core hours granted for this type of premises in this particular location should not exceed the following:

Sale/supply of alcohol (on supplies only) when subject to a condition that 'alcohol shall not be supplied other than as ancillary to a substantial table meal': Mon – Sun – 10:00 – 00:00.

(The applicant has offered this condition however there is no kitchen area shown on the plan and when I asked the applicant, there were no menus available, nor were there any on the premises website or facebook page).

Live music, Recorded music, Performance of dance, Facilities for making music, and /or facilities for Dancing: Mon – Sun – 09:00 – 23:00

The hours applied for exceed those of specified in the CIP.

Where the hours applied for exceed those specified in the CIP there is a presumption that the application will be refused.

In summary I wish to make representation on the following:

- **Prevention of Public Nuisance**

Although the premises is currently permitted to be open 24 hours a day, and permits late night refreshment throughout the night (except Sundays), I do not believe it is a suitable location to supply alcohol and regulated entertainment. A noise complaint has already been received about one of the TENs that took place at the later hours.

I am concerned that noise level from those leaving the premises would be worse the longer they were permitted to purchase alcohol and that this would have an adverse impact on neighbouring residents. I am also concerned that residents could be affected by loud music coming from the premises late and night / during the early hours of the morning.

Given the close proximity to residential properties and the fact that the hours applied for exceed those permitted in the CIP I object to the hours applied for and instead recommend that the hours be amended as detailed below:

Activity	Current Hours	Proposed Hours	Proposed Hours
Opening	24 hours everyday	No change	No change
Alcohol (on sales)	10:00 – 23:00 – Mon – Sat 12:00 – 22:30 Sun	No change - Sun – Thurs Fri – Sat 23:00 – 03:00	No change - Sun – Thurs Fri – Sat 23:00 – 00:00
LNR	23:00 – 05:00 Mon – Sat 23:00 – 00:00 Sun	No change	No change
Live Music Recorded Music Performance of Dance Facilities for Making Music Facilities for Dancing	Unlicensed	Fri – Sat 23:00 – 03:00	None

Prior to any extended licence being granted I would like to see evidence that substantial meals are available at the premises and that they have the facilities to provide them.

If this application were granted in full or part, I would recommend the following conditions be attached to the licence to promote the licensing objectives. These conditions are in addition to the proposed conditions in Annex 2 as indicated.

PLEASE REFER TO ANNEX 07

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

If these conditions were accepted in full I WOULD NOT withdraw my representation.

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: 0208 379 3965 or charlotte.palmer@enfield.gov.uk



Signed:

Date: 05/08/14

STATEMENT TO REBUT THE PRESUMPTION OF REFUSAL IN A CUMULATIVE IMPACT AREA.

Re: Dillons, Station Parade, Southgate Circus, London N14 5BH

This application is to extend the alcohol and live entertainment hours for Fridays and Saturdays only from 23.00 to 03.00. This will not have any effect on the current opening times as the premises are permitted to open for 24 hours. Therefore, there will be no cumulative impact on the area since the premises are already open.

The applicant feels that by increasing the hours for the sale of alcohol it will stop binge drinking and people purchasing more alcohol before 23.00 and sitting there all night with a couple of bottles, since consumption is not a licensable activity.

The proposal for the sale of alcohol is limited to those people that have a table meal at the premises after 23.00 and who are also members of the club and the applicant would enforce a reasonable drinking up time and clear all tables by a certain time after 3am.

Additional conditions were offered in the Operating Schedule to manage any potential risks to the licensing objectives.

In relation to crime and disorder:

Alcohol shall not be sold or supplied on the premises during the extended hours between 23.00 and 03.00 otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

At least one SIA door supervisors will be on duty at all times when regulated entertainment is taking place (subsequently changed to two at the request of the Police).

Also requested by the police - There will be no new entry to the premises after 00:00 on Fridays and Saturdays.

The operation of the premises will be in accordance with the Club Rules (attached).

Please note in particular

Rule 6 : A register of members shall be kept containing the names and addresses of all members and a photograph which will be available for inspection by the police on request and each member shall be provided with a membership card with a photograph which shall be made available for inspection at all times when the member attends the Club.

Rule 11 : The Proprietor shall have power to reprimand any member or to suspend or expel from membership any member who shall act in breach of the rules or regulations of the Club or whose conduct on the Club premises shall be prejudicial to the interests of the Club or its members or which shall in the opinion of the Proprietor render him unfit for membership. The possession of prohibited drugs by any member or their guest shall entitle the Proprietor to immediately expel the member.

Persons under the age of 18 will not be permitted entry to the premises.

In relation to public nuisance:

Signs will be displayed at the exit reminding customers that they are not permitted to take drinks or glass containers with them.

Signs will be displayed at the exit reminding customers that they must not drop cigarette butts or litter on the floor.

Staff will call Taxis / Mini cabs for the use of customers leaving the premises when requested to do so.

Windows and doors will not be left open when regulated entertainment is taking place to prevent the escape of noise. Amended at the request of the Licensing Authority to '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 applicant is fully aware of the cumulative impact policy and the reasons for it being made in the area. The Maze Inn Public House is open until 03.00 and has a younger clientele who are not restricted by the membership and food restrictions which are offered by the applicant. It is extremely unlikely that the members attending functions at Dillons would add to the noise and crime and disorder that have previously occurred as a result of the existing premises in the area. Any members who did misbehave will be easily identifiable to the police by CCTV and their photo identification and liable to expulsion as members. The applicant is aiming at an older clientele who would be entertained by live music whilst seated with table meals. The additional conditions requiring door supervisors, no entry after midnight and limiting any noise to a minimum will promote the licensing objectives.

DILLONS - WK/214033280

EXISTING LICENCE CONDITIONS :

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.
3. Where the licence includes a condition that individuals are required to carry out any security activity at specified times at the premises each individual must be licensed by the Security Industry Authority.

Annex 2 - Conditions consistent with the Operating Schedule

4. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
5. A digital CCTV system must be installed in the premises complying with the following criteria: (1) Cameras must be sited to observe the entrance and exit doors both inside and outside, floor areas and stairways; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification; (3) Cameras viewing till areas must capture frames not less than 50% of screen; (4) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time, and place of any image; (7) Provide good quality images - colour during opening times; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must be kept for 31 days; (14) Police will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a

standard computer. Copies must be made available to Police or authorised local authority employees on request.

6. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Drinking Control Area' and that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
7. The designated person should take reasonable steps to ensure that all employees understand their responsibilities under the Code of Practice for Equal Chance Gaming in Clubs and Premises with an Alcohol Licence.
8. The DPS shall keep all members of the social club up to date with limits on stakes and prize moneys with regards to equal chance gaming in clubs and premises with an alcohol licence.
9. An up to date copy of the Code of Practice for Equal Chance Gaming in Clubs and Premises with an Alcohol Licence shall be kept on the premises and be made available for customers should they so wish.
10. All staff involved in the sale of alcohol shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
11. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept for a minimum of two years. These records must be made available to the Police and/or Local Authority upon request.
12. 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.
13. 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.
14. 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.
15. Signs shall be displayed at the exit reminding customers that they are not permitted to take drinks or glass containers with them.

16. Signs will be displayed at the exit reminding customers that they must not drop cigarette butts or litter on the floor.
17. Staff shall call Taxis/Mini Cabs for the use of customers leaving the premises when requested to do so.
18. Persons under the age of 18 will not be permitted entry to the premises.

REQUESTED BY METROPOLITAN POLICE SERVICE (AND AGREED BY APPLICANT) :

19. Two SIA door supervisors shall be on duty at all times when regulated entertainment takes place and from 21:00 until closing on Fridays and Saturdays.
20. There will be no new entry to the premises after 00:00 on Fridays and Saturdays.

REQUESTED BY LICENSING AUTHORITY (AND AGREED BY APPLICANT):

21. Alcohol shall not be sold or supplied after 23:00 except to those who are taking a table meal at the premises and for consumption by such persons as ancillary to that meal.
22. 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.

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