

**MUNICIPAL YEAR 2014/15 REPORT NO.**

**COMMITTEE :**  
Licensing Sub-Committee  
25 February 2015

**REPORT OF :**  
Principal Licensing Officer

**LEGISLATION :**  
Licensing Act 2003

Agenda - Part	Item
<b>SUBJECT :</b> Application to vary a premises licence	
<b>PREMISES :</b> N21 Food & Wine 740 Green Lanes, Winchmore Hill N21	
<b>WARD :</b> Winchmore Hill	

**1      LICENSING HISTORY & CURRENT POSITION :**

- 1.1      On 25 January 2008 an application by Mr Mahendrasinh Chandrasinh Jadeja for a new Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.2      On 18 June 2012 an application by Mr Abbas Kaya 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 16 September 2014 an application by **Mr Yilmaz Kaya** for transfer of the Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers
- 1.4      The current Premises Licence permits :
  - 1.4.1      **Hours the premises are open to the public** : Sunday to Saturday from 05:00 to 23:00.
  - 1.4.2      **Supply of alcohol (off supplies only)** : Sunday to Saturday from 05:00 to 23:00.
- 1.5      A copy of a location map of the premises is attached as Annex 01.
- 1.6      A copy of the current Premises Licence is attached as Annex 02.

## 2 THIS APPLICATION :

- 2.1 Application is made by **Mr Yilmaz Kaya** to vary the Premises Licence. The application (as amended on 5 December 2015) now seeks :
  - 2.1.1 **Hours the premises are open to the public** : Sunday to Thursday no change and on Friday and Saturday from 05:00 to 01:00 the following day.
  - 2.1.2 **Supply of alcohol (off supplies only)** : Sunday to Thursday no change and on Friday and Saturday from 05:00 to 01:00 the following day.
- 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** : As conditions have been agreed (i.e. the applicant has agreed to amend the operating schedule attached to the application to include additional steps to promote the licensing objectives) the representation, against the application, has been duly withdrawn.
- 3.2 **Licensing Authority (including Licensing Enforcement, Environmental Health, Trading Standards, Planning, Health & Safety and Children's Services)** : Representation is made, against the application, on the grounds of the prevention of public nuisance. The authority considers that the following variation is appropriate for the promotion of the licensing objectives :
  - 3.2.1 **Hours the premises are open to the public** : Sunday to Thursday no change and on Friday and Saturday from 05:00 to 00:00.
  - 3.2.2 **Supply of alcohol (off supplies only)** : Sunday to Thursday no change and on Friday and Saturday from 05:00 to 00:00.
  - 3.2.3 A copy of the representation is attached as Annex 04.
- 3.3 **Other Person** : Representation is been made, against the application, by Cllr. Dinah Barry. The grounds of the representation are the prevention of crime & disorder, the prevention of public nuisance, public safety and the protection of children from harm.
  - 3.3.1 A copy of the representation is attached as Annex 05.

## 4 PROPOSED LICENCE CONDITIONS :

- 4.1 The conditions arising from this application are attached as Annex 06, all are agreed.

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

- 5.1 The paragraphs below are extracted from either :
- 5.1.1 the Licensing Act 2003 ('Act'); or
- 5.1.2 the Guidance issued by the Secretary of State to the Home Office of October 2014 ('Guid'); or
- 5.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').

**General Principles :**

- 5.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].
- 5.3 The licensing objectives are :
- 5.3.1 the prevention of crime and disorder;
- 5.3.2 public safety;
- 5.3.3 the prevention of public nuisance; &
- 5.3.4 the protection of children from harm [Act s.4(2)].
- 5.4 In carrying out its functions, the Sub-Committee must also have regard to :
- 5.4.1 the Council's licensing policy statement; &
- 5.4.2 guidance issued by the Secretary of State [Act s.4(3)].
- 5.5 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.17.1].
- 5.6 There can be confusion about the difference between the "need" for premises, and the "cumulative impact" of premises on the licensing objectives. "Need" concerns the commercial demand for another pub or restaurant or hotel, and is a matter for the planning authority and for the market. This is not a matter for the Sub-Committee in discharging its licensing functions [Guid 13.18].

**Cumulative Impact Policy :**

- 5.7 The applicant premises/club premises is not located in a Cumulative Impact Policy Area [Pol s.9.20].

**Hours :**

- 5.8 The Sub-Committee decides licensed opening hours as part of the implementation of the licensing policy statement and is best placed to make decisions about appropriate opening hours in their area based on their local knowledge and in consultation with responsible authorities [Guid 10.13].
- 5.9 Stricter conditions with regard to licensing hours may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided. This will particularly apply in circumstances where, having regard to the location, size and nature of the premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods [Pol s.8.4].
- 5.10 Licences for the off-supply of alcohol, particularly late night sales, may be resisted and/or limitations may be imposed in the case of premises known to be or likely to be a focus of crime and disorder, nuisance or those presenting a risk of harm to children [Pol s.8.7.3].

**Decision :**

- 5.11 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 9.36].
- 5.12 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:
- 5.12.1 the steps that are appropriate to promote the licensing objectives;
  - 5.12.2 the representations (including supporting information) presented by all the parties;
  - 5.12.3 the guidance; and
  - 5.12.4 its own statement of licensing policy [Guid 9.37].
- 5.13 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 :
- 5.13.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
  - 5.13.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - 5.13.3 to refuse to specify a person in the licence as the premises supervisor;
  - 5.13.4 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**



N21 Food & Wine, 740 Green Lanes, London, N21 3RE



Licensing Act 2003
**PART A – PREMISES LICENCE**

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number : **LN/200700575**

**Part 1 – Premises Details**

Postal address of premises :

Premises name : **N21 Food and Wine**

Telephone number : **020 8360 0455**

Address : **740 Green Lanes LONDON N21 3RE**

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

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

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

**Part 2**

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

**Name :** Mr Yilmaz Kaya

**Telephone number :** Not provided

**e-mail :** tekatom@hotmail.co.uk

**Address :** 14 Wilbury Way, LONDON, N18 1DE

**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 Yilmaz Kaya

**Telephone number :** Not provided

**e-mail :** tekatom@hotmail.co.uk

**Address :** 14 Wilbury Way, LONDON, N18 1DE

**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/000008436

**Issuing Authority :** London Borough of Haringey

**Premises Licence LN/200700575 was first granted on 25 January 2008.**

**Signed** 

**Date : 24th September 2014**

**for and on behalf of the  
London Borough of Enfield**

**Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH  
Telephone : 020 8379 3578**

**ENFIELD**  
Council



## **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. An alarm system shall be installed, operated and maintained the premises.**
- 5. Staff at the premises shall be trained.**
- 6. Spirits shall be located behind the counter area in the premises.**
- 7. (a) The premises must be fitted with a digital CCTV system which must be regularly maintained. Should the CCTV equipment not work then the police to be advised as soon as possible; (b) CCTV cameras to be sited to cover the store entrance (external view & internal view), the counter area and all alcohol displays; (c) 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; (d) Other cameras must capture frames not less than 50% of screen; (e) All recordings to display time, date and camera identification; (f) Have the recording device located in a secure area or locked cabinet; (g) Signage to be displayed in store advising CCTV is in operation; (h) Digital images to be kept for 31 days and copies made available to the Police upon reasonable request.**
- 8. A refusals book must be kept at the point of sale. This must be completed on each separate occasion that an individual is refused a sale of alcohol. This record must be made available on request by a Police Officer and/or officer of the Local Authority.**
- 9. The Designated Premises Supervisor to undertake regular monitoring of the refusal book and to record that activity.**
- 10. Challenge 21 policy to be adopted and literature displayed.**
- 11. Written staff alcohol training records to be maintained.**
- 12. A sign will be displayed on the exit door reminding customers that they are entering a drinking control zone and they are not to open any alcoholic drinks.**



**13. Children under 14 shall not enter or remain on the premises after 21:00 unless accompanied by a person over 18.**

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

**Not applicable**

## 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 YILMAZ KAYA

(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/200700575

## Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 740 Green Lanes			
Post town	london	Post code	N21 3RE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£18500

## Part 2 – Applicant details

Daytime contact telephone number	07791292949		
E-mail address (optional)			
Current postal address if different from premises address	14 Wilbury Way		
Post Town	London	Postcode	N18 1DE

LONDON BOROUGH OF ENFIELD  
RECEIVED

13 OCT 2014

ENVIRONMENT &  
STREET SCENE

email

**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)**  
The premises is a mini market selling groceries and alcohol. We would like to increase the hours of the licensable activities

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

From: Suna Hazar [mailto:suna@ivysolicitors.co.uk]

Sent: 05 December 2014 14:00

To: Mark Galvayne

Subject: RE: 214057143 N21 FOOD & WINE, 740 GREEN LANES N21 [SEC=UNCLASSIFIED]

Dear Mark,

Thank you for your e-mail.

I have taken my clients further instructions and can confirm that my client is prepared to accept all the additional conditions however he would like the hours to be as follows;

Hours premises are open to the public: Sunday – Thursday no change (i.e. 05:00 – 23:00), Friday – Saturday 05:00 – 01:00; &

Supply of alcohol (off supplies): Sunday – Thursday no change (i.e. 05:00 – 23:00), Friday – Saturday 05:00 – 01:00.

Would the police and the Licensing authority and the Police be willing to withdraw their representation based on the above hours?

Regards,

Suna Hazar

IVY Solicitors  
Solicitor

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>					
Mon	05:00	02:30						
Tue	05:00	02:30						
Wed	05:00	02:30						
Thur	05:00	02:30				<b>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 (please read guidance note 5)</b>		
Fri	05:00	02:30						
Sat	05:00	02:30						
Sun	05:00	02:30						

**N**

**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)**

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	05:00	03:00	
Tue	05:00	03:00	
Wed	05:00	03:00	
Thur	05:00	03:00	
Fri	05:00	03:00	
Sat	05:00	03:00	<b>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</b> (please read guidance note 5)
Sun	05:00	03:00	

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  
All the conditions that are currently attached to my license will remain the same

**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)**

All the conditions that are currently attached to my license will remain the same

**b) The prevention of crime and disorder**

All the conditions that are currently attached to my license will remain the same

**c) Public safety**

All the conditions that are currently attached to my license will remain the same

**d) The prevention of public nuisance**

All the conditions that are currently attached to my license will remain the same

**e) The protection of children from harm**

All the conditions that are currently attached to my license will remain the same.



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	09-10-2014
Capacity	Solicitor

**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)**

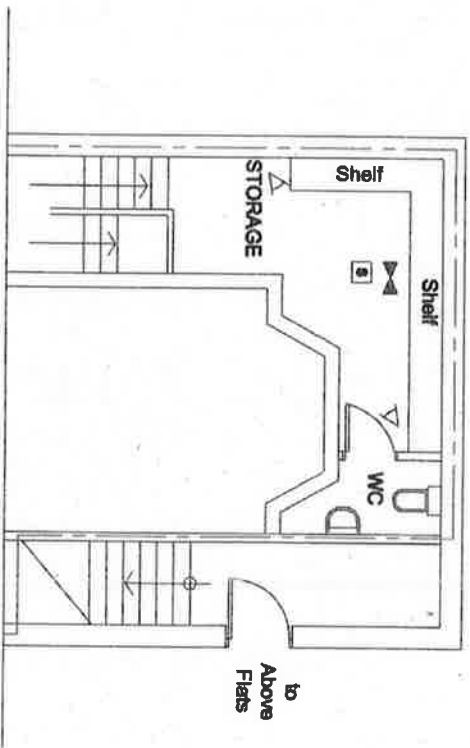
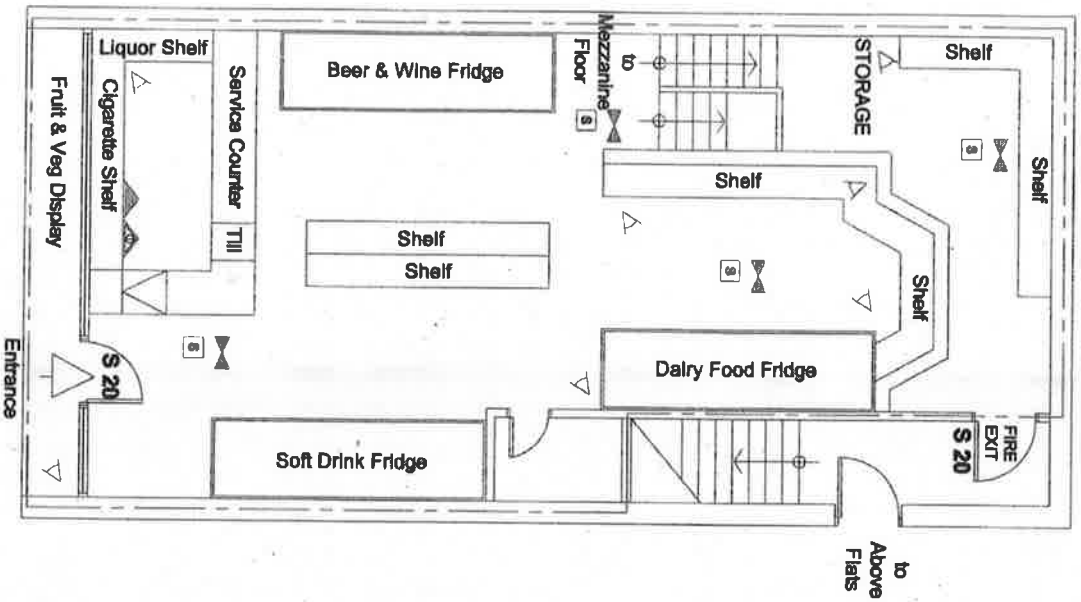
Suna Hazar  
3 Valleyside  
Chingford

Post town	London	Post code	E4 7SR
-----------	--------	-----------	--------

Telephone number (if any)	07784382828
---------------------------	-------------

If you would prefer us to correspond with you by e-mail your e-mail address (optional)	suna84@hotmail.co.uk
--	----------------------

# GROUND FLOOR PREMISES PLAN



## Mezzanine Floor



### LEGEND

- WC AREA
- BAR AREA
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9LT. WATER FIRE EXTINGUISHER
- FIRE ESCAPE KEEP CLEAR
- CCTV
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- FIRE BLANKET
- FAN 6W/s
- FIRE ALARM BELL
- FIRE DOOR
- FIRE SWITCH PANEL

<b>No</b>	<b>Design &amp; Build Ltd.</b>
ARCHITECTURAL & ENGINEERING DESIGN 2 CHEARSIDE, NORTH CIRCULAR ROAD LONDON, N13 5ED T: 0772 333 1891, 020 3213 0192 e-mail: <a href="mailto:djoseph@dklogroup.co.uk">djoseph@dklogroup.co.uk</a> <a href="http://www.dklogroup.co.uk">www.dklogroup.co.uk</a>	
PROJECT : Premises Licence Application	
DRAWING TITLE: Proposed Ground Floor Plan	
PROJECT ADDRESS : 740 Green Lanes London, N21	
SCALE : 1:100 @ A4	DATE : Oct/2014
PROJECT No : CE14-01	



**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:** N21 Food and Wine,  
740 Green Lanes,  
LONDON,  
N21 3RE.

**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 extend the licensing hours as follows:

	<b>Current Hours</b>	<b>Proposed Hours</b>
<b>Open</b>	05:00 – 23:00 daily	05:00 – 03:00 daily
<b>Alcohol (off supply)</b>	05:00 – 23:00 daily	05:00 – 02:30 daily

This premises licence was granted in 2008 and the licence was transferred to Mr Kaya on 16/09/2014 and he also became the DPS on 19/09/2014.

The premises was formerly known as Jardins. Last year, noise officers dealt with a number of complaints from residents in relation to disturbance from noisy condenser units. There are no further relevant records in relation to this premises.

**Wednesday 29<sup>th</sup> October 2014** – EVG carried out a licence inspection due to pending application. EVG met with PLH and DPS Mr Yilmaz Kaya, and his brother, Kamil.

Following conditions not in compliance:

- c.5 - advised to carry out training at least every 3 months, only record for Kamil.
- c.8 - refusals book kept but not completed
- c.17 - no drinking control signs displayed - advised to obtain from LBE website

The plan attached to the licence was significantly different, i.e. point of sale, entrance, alcohol store and fire exits. Advised this must be addressed by variation application, which was subsequently received on 4/11/14.

An inspection report was completed, and a copy was signed by and issued to Mr Kaya.

**Public Nuisance:**

This premises is located in a parade of shops, bars, restaurants and other commercial premises on Green Lanes. There are residential premises in flats above the shops, including this actual premises. Additionally, Queens Avenue is a residential street that runs directly parallel behind the shops. I am concerned that residents will be disturbed by noise from those arriving and leaving the premises particularly late at night and during the early hours of the morning when ambient sound levels are significantly reduced.

**Planning:**

Not time restricted.

**Cumulative Impact Policy (CIP):**

The premises is not located within any of Enfield's Cumulative Impact Policy Areas.

**In summary I wish to make representation on the following:**

- Prevention of Public Nuisance

**Given the close proximity to local residents and the potential for increased noise disturbance at a late hour, I object to the hours requested in this application in part. I recommend the following hours:**

	Applicant Proposed Hours	LA Proposed Hours
<b>Open</b>	05:00 – 03:00 daily	05:00 – 23:00 Sun to Thurs (no change) 05:00 – 00:00 Fri & Sat
<b>Alcohol (off supply)</b>	05:00 – 02:30 daily	05:00 – 23:00 Sun to Thurs (no change) 05:00 – 00:00 Fri & Sat

Also, 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 06\***

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

If these conditions and hours were accepted in full **I WOULD** withdraw my representation.

Duly Authorised: Ellie Green, Principal Trading Standards Officer - Licensing Enforcement

Contact: [ellie.green@enfield.gov.uk](mailto:ellie.green@enfield.gov.uk)



Signed:

Date: 11/11/14

From: Cllr Dinah Barry  
Sent: 12 November 2014 16:01  
To: Licensing  
Cc: Cllr Elaine Hayward; Cllr Ertan Hurer  
Subject: RE: WK/ 214057143 LDR: 2/12/14 Officer initials: GA [SEC=UNCLASSIFIED]

Dear Mark,

Crime and disorder and public nuisance: This establishment is in a small parade of shops in a residential area with flats above the shops and dwellings close behind them in a secluded road. This would encourage people from a wide area to come to the Broadway to buy alcohol very late at night when residents would hope to be able to sleep. Alcohol is readily available in nearby pubs and off-licences (including this one) up to 11.00, so those needing to buy it later are likely to have already taken some alcohol. The probable outcome will be that people who have already had a few drinks - with the resulting lowering of inhibitions - and who want even more alcohol, will congregate in what should be a quiet area at this time of night.

Public safety: This will encourage a large number of people who may already be drunk, to congregate close to Green Lanes at a time when traffic can travel very fast.

Protecting children: As stated above, this is a residential area. It is not appropriate for children to have a large number of people who may already be drunk and uninhibited, congregating near their homes.

Hope that fits the committee's requirements,

Dinah Barry  
Councillor: Winchmore Hill ward  
Phone: 07585 673023  
Ward Surgery: First and third Saturday of each month, 4.00-5.00pm Winchmore Hill Library

From: Cllr Dinah Barry  
Sent: 11 November 2014 12:53  
To: Licensing; Cllr Ertan Hurer; Cllr Elaine Hayward  
Subject: FW: WK/ 214057143 LDR: 2/12/14 Officer initials: GA [SEC=UNCLASSIFIED]

N21 Food and Wine 740 Green Lanes

I wish to object to the application to extend the licencing hours beyond 11.00pm.

This is a residential area and extending the hours will provide a focus for inappropriate behaviour

Thanks

Dinah Barry

My original objection:

**Crime and disorder and public nuisance:** This establishment is in a small parade of shops in a residential area with flats above the shops and dwellings close behind them in a secluded road. This would encourage people from a wide area to come to the Broadway to buy alcohol very late at night when residents would hope to be able to sleep. Alcohol is readily available in nearby pubs and off-licences (including this one) up to 11.00, so those needing to buy it later are likely to have already taken some alcohol. The probable outcome will be that people who have already had a few drinks – with the resulting lowering of inhibitions - and who want even more alcohol, will congregate in what should be a quiet area at this time of night.

**Public safety:** This will encourage a large number of people who may already be drunk, to congregate close to Green Lanes at a time when traffic can travel very fast.

**Protecting children:** As stated above, this is a residential area. It is not appropriate for children to have a large number of people who may already be drunk and uninhibited, congregating near their homes.

I was not aware that local residents had not been told about this application until it was too late for them to submit any comments.

I contacted them and told them about the application and the amendment. Seven residents subsequently contacted me and all wrote strongly about their objections to this proposal.

Additional points made by these residents are:

- Opening hours of 5.00am to 11.00pm are surely enough for a retail business to sell its products to the local community. This application has nothing to do with the local community but to attract a late night roving population of late night revellers looking for alcohol.
- This area is already susceptible to nuisance and anti-social behaviour for several reasons - late hours of licensed premises and restaurants, closeness to Green Lanes / Broadway, groups gathering in the car park of Holy Trinity Church - often with drink .
- Local residents are unaware of any demand or need for the licensing hours to be extended for their benefit. There are already sufficient licensed premises in the area to cater for local needs and demand.
- A similar application from a business on The Green Winchmore Hill proved that a late night licence resulted in many problems. They were denied a renewal and reduced to 11.00pm closing which completely cured the late night problems.
- It is not reasonable to ask our already overburdened police to monitor all these extra conditions should this licence be granted. This will either result in an increase in crime because police are too busy or in costs to the taxpayer.

In addition, residents and I have concerns about the attitude of the current management of this business to both its neighbours and the authorities.

- Planning permission was granted this year for a storage building but the structure built was not as agreed. "The Planning enforcement Team have established the propensity of the rear extension of the premises to be used as a separate unit of residential accommodation and that current planning permission does not reflect this use. Therefore a Breach of condition Enforcement Notice is being drafted for service by the end of February 2015." *John Shuttlewood, Environmental Protection Officer*
- I have, since June 2014, been working with officers on the matter of where this business stores its (blue) commercial waste bin. It used to be left on the road and is now stored on a neighbour's land - I have been told that this is done without their permission. It is regularly over filled and neighbours complain of the vermin and fly-tipping that it attracts. (Photographs attached) Officers have written "to the owner of the offending trade waste bin, and explain(ed) that this is not acceptable and failure to return the bin to its original stance, can lead to a cancellation of their commercial waste agreement and also lead to further investigations by our Environmental Crime Unit (ECU)." *Arpin Miah, Commercial Waste Manager*

I recognise that these matters do not directly affect the license but do think that they show that this business would be unlikely to comply with the conditions of the licence causing even more annoyance to neighbours and work for officers of the authorities.

Yours sincerely,  
Dinah Barry

Rear of 736  
Green Lanes

Rear of 740  
Green Lanes  
showing the new  
building



The blue bin belonging to 740 used to be  
stored in the road (below) and is now  
stored on land belonging to 736 (Left)





**N21 FOOD & WINE - WK/ 214057143****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.

**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. An alarm system shall be installed, operated and maintained the premises.
5. Spirits shall be located behind the counter area in the premises.
6. The Designated Premises Supervisor to undertake regular monitoring of the refusal book and to record that activity.
7. A sign will be displayed on the exit door reminding customers that they are entering a drinking control zone and they are not to open any alcoholic drinks.
8. Children under 14 shall not enter or remain on the premises after 21:00 unless accompanied by a person over 18.

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

9. 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, the alcohol displays, and floor areas; (2) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification; (3) Cameras overlooking floor areas should be wide angled to give an overview of the premises; (4) Cameras must capture a minimum of 16 frames per second; (5) Be capable of visually confirming the nature of the crime committed; (6) Provide a linked record of the date, time, and place of any image; (7) Provide good quality images; (8) Operate under existing light levels within and outside the premises; (9) Have the recording device located in a secure area or locked cabinet; (10) Have a monitor to review images and recorded picture quality; (11) Be regularly maintained to ensure continuous quality of image capture and retention; (12) Have signage displayed in the customer area to advise that CCTV is in operation; (13) Digital images must

be kept for 31 days; (14) Police or authorised local authority employees will have access to images at any reasonable time; (15) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police or authorised local authority employees on request.

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

**REQUESTED BY LICENSING AUTHORITY (AND AGREED BY APPLICANT) :**

11. 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.
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. 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.
14. All training 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.
15. The premises licence holder shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, is kept clean and free from litter at all material times to the satisfaction of the Licensing Authority.
16. 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 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**