

**COMMITTEE :**  
**Licensing Sub Committee**  
**8 March 2017**

**REPORT OF :**  
**Principal Licensing Officer**

**LEGISLATION :**  
**Licensing Act 2003**

Agenda – Part1	Item
<b>SUBJECT :</b> <b>Review Application</b>	
<b>PREMISES :</b> <b>Lefke Social Club, 281 Hertford Road,</b> <b>LONDON, N9 7ES.</b>	
<b>WARD :</b> <b>Jubilee</b>	

## **1 LICENSING HISTORY & CURRENT POSITION:**

- 1.1 A new premises licence was first granted at this premises on 24 May 2006, naming Mr Erol ARABACILAR as the Premises Licence Holder on premises licence (LN/200600140).
- 1.2 On 8 November 2012, the premises licence was transferred to Mr Sadi ESENDAG, the current premises licence holder.
- 1.3 A minor variation was granted on 20 July 2015 to amend the plan.
- 1.4 This is the first review application received for LN/200600140.
- 1.5 The current Premises Licence permits:

Hours the premises are open to the public: 24 hours daily.

Late Night Refreshment (Indoors only): 23:00 to 05:00 daily.
- 1.6 A copy of a location map of the premises is attached in Annex 1.
- 1.15 A copy of the current premises licence (LN/200700399) is attached in Annex 2.

## **2 THIS APPLICATION:**

- 2.1 On 13 January 2017 an application was made by the Licensing Authority for the review of Premises Licence LN/200600140.
- 2.2 The review application relates to the prevention of crime and disorder licensing objective and is made because the premises have been found to be repeatedly making illegal gaming machines available for use on the premises.
- 2.3 The authority considers that it is now appropriate, for the promotion of the licensing objectives, to seek revocation of the licence.

- 2.4 A transfer application has been submitted for this licence but at the time of writing this report, has not been accepted as payment has not been completed.
- 2.5 Each of the Responsible Authorities were consulted in respect of the application.
- 2.6 A copy of the Licensing Authority's review application, Additional Information and Appendices is attached as Annex 03.
- 2.7 To date, no written information has been provided by Mr Sadi ESENDAG in response to the review application.

### **3 RELEVANT REPRESENTATIONS:**

- 3.1 **Metropolitan Police:** Representations were received in support of this review application, based on the prevention of crime and disorder licensing objective.
- 3.2 A copy of the representation is attached as Annex 04.

### **4 RELEVANT LAW, GUIDANCE & POLICIES:**

- 4.1 The paragraphs below are extracted from either:
  - 4.1.1 the Licensing Act 2003 ('Act'); or
  - 4.1.2 the Guidance issued by the Secretary of State to the Home Office of March 2015 ('Guid'); or
  - 4.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').

#### **General Principles:**

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

### **Review:**

- 4.5 In reviewing a licence the Licensing Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information [Pol s.10.3].
- 4.6 A number of reviews may arise in connection with crime that is not directly connected with licensable activities, for example unlawful gambling. The Sub-Committee does not have the power to judge the criminality or otherwise of any issue. The Sub-Committee's role is to ensure the promotion of the crime prevention objective [Guid s.11.24].
- 4.7 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These include the use of the premises for unlawful gambling [Guid s.11.27].
- 4.8 Where reviews arise in respect of these criminal activities and the Sub-Committee determines that the crime prevention objective is being undermined, it is expected that revocation of the licence – even in the first instance – should be seriously considered [Guid s.11.28].

### **Decision:**

- 4.9 Having heard all of the representations (from all parties) the Licensing Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are :
  - 4.9.1 to modify the conditions of the licence;
  - 4.9.2 to exclude a licensable activity from the scope of the licence;
  - 4.9.3 to suspend the licence for a period not exceeding three months;
  - 4.9.4 to revoke the licence [Act s.52].
- 4.10 In deciding which of these powers to invoke, the Sub-Committee should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should generally be directed at those causes and should always be no more than an appropriate and proportionate response [Guid s.11.20].

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

**Contact Officer :**  
**Ellie Green on 020 8379 8543**