

MUNICIPAL YEAR 2021/22 REPORT NO.

COMMITTEE:
Licensing Sub-Committee
7 July 2021

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT: Application for a Review of premises licence	
PREMISES: The Hop Poles, Public House, 320 Baker Street, ENFIELD, EN1 3LH	
WARD: Chase	

1. LICENSING HISTORY:

- 1.1 On 16 February 2006, an application by Mr Kenneth O'Hara to convert an existing Justices On Licence to a Premises Licence, which was not subject to any representations, was granted by the Licensing Authority (LN/200502201).
- 1.2 The premises licence has been transferred five times since, and the Premises Licence Holder is now Mr Thomas Battersby and Mr Michael Kirby (since 16 July 2019) and the current Designated Premises Supervisor (DPS) is Mr Michael Kirby (since 4 April 2017).
- 1.3 Star Pubs & Bars Limited were the former premises licence holder and are still the brewery behind the premises.
- 1.4 The premises licence has not been subject to any reviews under the current or previous premises licence holders.
- 1.5 A copy of Part A of the current premises licence (LN/200502201) is attached in Annex 1.

2 THIS APPLICATION:

- 2.1 On 21 May 2021 an application was made by the Metropolitan Police Service (the Police) for a review of premises licence LN/200502201.
- 2.2 The application is sought following police reports of breaches of covid legislation taking place at The Hop Poles, resulting in an unannounced visit in April 2021, where customers were witnessed to be drinking inside the pub. At this time, this was a breach of the covid legislation. Steps had been taken to conceal visibility into the pub from the outside, by covering up glass doors and windows.
- 2.3 The Police are concerned that these actions undermine the licensing objectives public safety and prevention of crime and disorder.

- 2.4 The review application seeks to revoke premises licence LN/200502201 in its entirety.
- 2.5 Each of the Responsible Authorities were consulted in respect of the application.
- 2.6 A copy of the review application is attached in Annex 2.

3 RELEVANT REPRESENTATIONS:

- 3.1 **Responsible Authorities:** The Licensing Authority have made representation supporting the Police review application. This representation is produced in Annex 3.
- 3.2 **Other Persons:** Three representations from Other Persons were received in relation to this review, two from local residents, and one on behalf of Star Pubs & Bars Limited. These representations all oppose the review application and have shown support for the premises licence holders. These representations are referenced as SUP1 to SUP3 respectively. These representations are produced in Annex 4.
- 3.3 At the time of writing this report, the premises licence holders have not provided a written response to this review application or representations.

4 PROPOSED CONDITIONS

- 4.1 If the Licensing Sub-Committee are minded not to revoke the premises licence in full, the Licensing Authority have proposed that an additional condition be added to the premises licence. The proposed conditions arising from the application are presented in Annex 5. The premises licence holders have not indicated any agreement to the proposed condition.

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 April 2018 ('Guid'); or
 - 5.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2020 ('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)].

5.8 Reviews - Section 11 of the Guidance:

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

5.9 [Enfield's Licensing Policy](#)

- 10.1 In its consideration of applications or in a review of a licence where representations have been received, the Council must give appropriate weight to the steps that are necessary to promote the Licensing Objectives; the representations presented by all parties; the Guidance; and this Policy. Where relevant, particular regard will be given to the factors shown under Special Factors for Consideration below. Particular regard will be given to evidence identifying any history or pattern of practice which impacts upon the Licensing Objectives.
- 10.3 In reviewing a licence, after representations and/or after a hearing, the Council will consider, and take into account, the complaints history of the premises and all other relevant information.

5.10 Covid-19 Information

5.10.1 Refer to [Gov.uk advice](#) : Step 2 - not before 12 April

5.10.2 Business and activities: Step 2, which will be no earlier than 12 April... Hospitality venues will be allowed to serve people outdoors at Step 2 and there will be no need for customers to order a substantial meal with alcoholic drinks and no curfew, although customers must order, eat and drink while seated ('table service'). Wider social contact rules will apply in all these settings to prevent indoor mixing between different households.

5.10.3 At the time of the April visit to The Hop Poles, it was observed that Regulation 7 and Part 2 of Schedule 2, paragraph 9(4) of [The Health Protection \(Coronavirus, Restrictions\) \(Steps\) \(England\) Regulations 2021](#) was contravened, namely that food and drink was served to customers inside, when only outdoor hospitality was permitted.

5.10.4 Compliance

5.10.4.1 As of [26 March 2020](#) the Covid regulations became enforceable by law in England, and have since been amended. Everyone is required to comply with these Regulations issued by the government in relation to coronavirus, in order to protect both themselves and others.

5.10.4.2 An owner, proprietor or manager carrying out a business (or a person responsible for other premises) who contravenes the Regulations, without reasonable excuse, commits an offence.

5.10.4.3 In England, Environmental Health and Trading Standards officers will monitor compliance with these regulations, with police support provided if appropriate. Businesses and venues that breach them will be subject to prohibition notices, and a person, who is 18 or over, carrying on a business in contravention of the Regulations

may be issued with a fixed penalty. The government has introduced higher fines for those who do not comply, to reflect the increased risk to others of breaking the rules.

5.10.4.4 With the support of the police, prohibition notices can be used to require compliance with the Regulations including requiring that an activity cease. It is also an offence, without reasonable excuse, to fail to comply with a prohibition notice.

5.10.4.5 If prohibition notices are not complied with, or fixed penalty notice not paid, you may also be taken to court with magistrates able to impose potentially unlimited fines.

6 Decision

6.1 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 9.37].

6.2 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:

- 6.2.1 the steps that are appropriate to promote the licensing objectives;
- 6.2.2 the representations (including supporting information) presented by all the parties;
- 6.2.3 the guidance; and
- 6.2.4 its own statement of licensing policy [Guid 9.38].

6.3 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. It may be decided that no changes are required. However, if further steps are required, the available options are:

- (a) to modify the conditions of the premises licence;
- (b) to exclude an activity from the scope of the premises licence;
- (c) to suspend the premises licence for a period not exceeding three months;
- (d) to revoke the premises licence. [Act s.88].

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

Contact Officer :
Ellie Green on 020 8379 8543

Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number: LN/200502201

Part 1 – Premises Details

Postal address of premises:

Premises name: The Hop Poles

Address: Public House 320 Baker Street, ENFIELD EN1 3LH

Where the licence is time-limited, the dates: Not applicable

Maximum number of persons permitted on the premises where the capacity is 5,000 or more. Not applicable

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:

Operating Schedule Details

Location	General Times
Activity	OPEN-Open to the Public
Sunday	08:00-00:30
Monday	08:00-00:30
Tuesday	08:00-00:30
Wednesday	08:00-00:30
Thursday	08:00-00:30
Friday	08:00-01:30
Saturday	08:00-01:30
Non-Standard Timings & Seasonal Variations	
Location	Pre-Planned Event Times
Activity	OPEN-Open to the Public
Sunday	08:00-00:30
Monday	08:00-00:30
Tuesday	08:00-00:30
Wednesday	08:00-00:30
Thursday	08:00-00:30

Friday	08:00-02:30
Saturday	08:00-02:30
Non-Standard Timings & Seasonal Variations	
Location	General Times - On & Off Supply
Activity	ALCS-Supply of Alcohol
Sunday	10:00-00:00
Monday	10:00-00:00
Tuesday	10:00-00:00
Wednesday	10:00-00:00
Thursday	10:00-00:00
Friday	10:00-01:00
Saturday	10:00-01:00
Non-Standard Timings & Seasonal Variations	
Location	Pre-Planned Event Times -On & Off Supply
Activity	ALCS-Supply of Alcohol
Sunday	10:00-00:00
Monday	10:00-00:00
Tuesday	10:00-00:00
Wednesday	10:00-00:00
Thursday	10:00-00:00
Friday	10:00-02:00
Saturday	10:00-02:00
Non-Standard Timings & Seasonal Variations	
Location	General Times - Indoors
Activity	MUSR-Recorded Music
Sunday	09:00-00:00
Monday	09:00-00:00
Tuesday	09:00-00:00
Wednesday	09:00-00:00
Thursday	09:00-00:00
Friday	09:00-01:00
Saturday	09:00-01:00
Non-Standard Timings & Seasonal Variations	
Location	Pre-Planned Event Times - Indoors
Activity	MUSR-Recorded Music
Sunday	09:00-00:00
Monday	09:00-00:00
Tuesday	09:00-00:00
Wednesday	09:00-00:00
Thursday	09:00-00:00
Friday	09:00-02:00
Saturday	09:00-02:00
Non-Standard Timings & Seasonal Variations	
Location	General Times - Indoors

Activity	MUSL-Live Music	
Sunday		09:00-00:00
Monday		09:00-00:00
Tuesday		09:00-00:00
Wednesday		09:00-00:00
Thursday		09:00-00:00
Friday		09:00-00:00
Saturday		09:00-00:00
Non-Standard Timings & Seasonal Variations		
Location	Pre-Planned Event Times - Indoors	
Activity	MUSL-Live Music	
Sunday		09:00-00:00
Monday		09:00-00:00
Tuesday		09:00-00:00
Wednesday		09:00-00:00
Thursday		09:00-00:00
Friday		09:00-00:00
Saturday		09:00-00:00
Non-Standard Timings & Seasonal Variations		
Location	General Times - Indoors	
Activity	DANP-Performance of Dance	
Sunday		09:00-00:00
Monday		09:00-00:00
Tuesday		09:00-00:00
Wednesday		09:00-00:00
Thursday		09:00-00:00
Friday		09:00-01:00
Saturday		09:00-01:00
Non-Standard Timings & Seasonal Variations		
Location	Pre-Planned Event Times - Indoors	
Activity	DANP-Performance of Dance	
Sunday		09:00-00:00
Monday		09:00-00:00
Tuesday		09:00-00:00
Wednesday		09:00-00:00
Thursday		09:00-00:00
Friday		09:00-02:00
Saturday		09:00-02:00
Non-Standard Timings & Seasonal Variations		
Location	General Times - Indoors	
Activity	LNR-Late Night Refreshment	
Sunday		23:00-23:30
Monday		23:00-23:30
Tuesday		23:00-23:30
Wednesday		23:00-23:30

Thursday	23:00-23:30
Friday	23:00-00:30
Saturday	23:00-00:30
Non-Standard Timings & Seasonal Variations	
Location	Pre-Planned Event Times - Indoors
Activity	LNR-Late Night Refreshment
Sunday	23:00-23:30
Monday	23:00-23:30
Tuesday	23:00-23:30
Wednesday	23:00-23:30
Thursday	23:00-23:30
Friday	23:00-00:30
Saturday	23:00-00:30
Non-Standard Timings & Seasonal Variations	

Part 2

Name and (registered) address of holder of premises

licence:

Name: Mr Thomas Battersby

Address:

Registered number of holder (where applicable):

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

Name: Mr Michael John Kirby

Address:

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

Name: Mr Michael John Kirby

Address:

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:

Issuing Authority:

London Borough of Harrow

Premises Licence LN/200502201 was first granted on 4 October 2005.

Signed:



Date: 16 July 2019

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

The Mandatory Conditions are attached and form part of the Operating Schedule of your licence/certificate. You must ensure that the operation of the licensed premises complies with the attached Mandatory Conditions as well as the Conditions in Annex 2 and Annex 3 (if applicable). Failure to do this can lead to prosecution or review of the licence.

Annex 2 - Conditions consistent with the Operating Schedule

- 1. 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.**
- 2. Full training shall be provided to all staff on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals - at least every 6 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities.**
- 3. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and Trading Standards at all times whilst the premises are open. Records shall be kept at the premises for at least 12 months.**
- 4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:**
 - (a) all crimes reported to the venue**
 - (b) all ejections of patrons**
 - (c) any complaints received**
 - (d) any incidents of disorder**
 - (e) any faults in the CCTV system or searching equipment or scanning equipment**
 - (f) any visit by a relevant authority or emergency service**
- 5. A minimum of two SIA registered door supervisors shall be employed on the premises on Friday and Saturday from 21:00 until the premises has closed whenever regulated entertainment is taking place. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance. Door supervisors shall be easily identifiable by either wearing reflective jackets or reflective armbands.**

- 6. At least one door supervisor shall remain directly outside the premises for 30 minutes after the premises have closed to ensure the safe and quiet dispersal of patrons.**
- 7. Where SIA registered door supervisors are used at the premises, a record must be kept of their name, SIA registration number and the dates and times when they are on duty. Records shall be kept at the premises for at least 12 months.**
- 8. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Signs will be prominently displayed advising customers that they are being filmed on CCTV. The system will cover all entry and exit points, all of the licensed area and any external seating area. All recordings shall be stored for a minimum period of 28 days with date and time stamping. Viewing of recordings shall be made available upon the request of Police or authorised officer throughout the entire 28-day period.**
- 9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV or data with the absolute minimum of delay when requested.**
- 10. All external doors and windows shall be kept closed when regulated entertainment is taking place inside the premises, except in the event of an emergency and to permit access and egress.**
- 11. When regulated entertainment is taking place, hourly boundary noise checks shall be conducted. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down. Records detailing the sound checks and any required action shall be maintained and retained on the premises for at least 12 months.**
- 12. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers to respect the needs of local residents and leave the premises and area quietly.**
- 13. The rear beer garden shall be closed at 23:00. An external area may be designated for the use of smokers from 23:00 until closing time. No alcoholic drinks or glass containers shall be permitted to be taken into the designated smoking area during this time. The designated area shall be adequately supervised so as not to cause a nuisance. Notices shall be displayed in the area requiring patrons to respect the needs of local residents and to use the area quietly.**
- 14. Customers shall not be permitted to remove from the premises any drinks supplied by the premises in open containers unless to an external drinking area set aside for consumption.**
- 15. Children under the age of 18 years must be accompanied by an adult over the age of 18 years at all times whilst on the premises and must be off**

the premises by 23:00 hours, unless attending a pre-booked private function.

16. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) 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 they can be read by those leaving the premises.

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

17. On Friday and Saturday nights the last entry time shall be one hour before closing time, the only exception being for those customers who have gone to the designated smoking area to smoke.

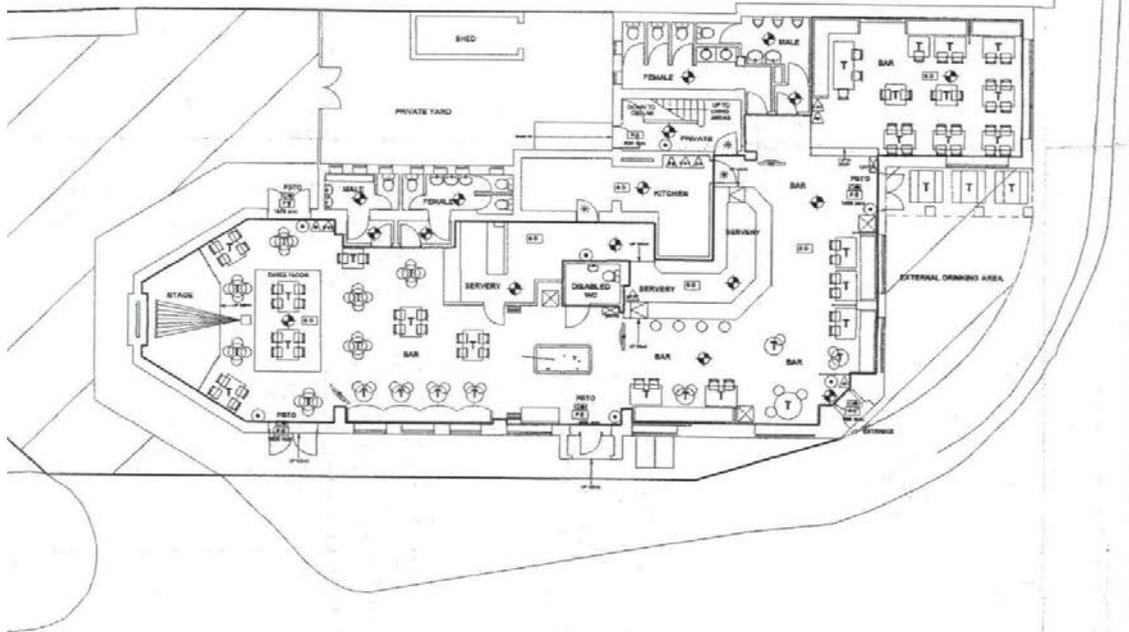
18. The Local Authority or similar proof of age scheme shall be operated at the premises and relevant material shall be displayed at the premises.

19. The premises licence holder shall inform the Licensing Team, in writing, of their intention to use their extended hours, at least 7 days before any such event.

Annex 4 – Plans



LOCATION PLAN 1/1250



This Drawing has been prepared for the purposes of accompanying
2000 Licensing Act applications for the areas of the premises
illustrated. Site dimensions should be taken for other purposes.



**METROPOLITAN
POLICE**

TOTAL POLICING

**Application for the Review of a Premises Licence or Club Premises Certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I **Police Constable Kayleigh Mitcham 1230NA**

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

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

The Hop Poles Public House, 360 Baker Street

Post town: Enfield **Post code:** EN1 3LH
(if known)

Name of premises licence holder or club holding club premises certificate (if known):

Mr Thomas Battersby, Mr Michael Kirby

Number of premises licence or club premises certificate (if known):

LN/200502201

Part 2 – Applicant details

I am:

Please tick Yes

- | | | |
|----------|--|-------------------------------------|
| 1 | an individual, body or business which is not a responsible authority
(please read guidance note 1 and complete (A) or (B) below) | <input type="checkbox"/> |
| 2 | a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3 | a member of the club to which this application relates (please complete section (A) below) | <input type="checkbox"/> |

PROTECTIVE MARKING

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:				First Names:					
I am 18 years old or over <input type="checkbox"/>									
Current postal address if different from premises address:									
Post town:					Post code:				
Daytime Tel. No.:					Email: (optional)				

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)

Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)

Name and Address:	
PC Kayleigh Mitcham 1230NA, North Area Command Unit Licensing Team, Edmonton Police Station, Fore Street N9 0PW	
Telephone Number (if any):	
Email address: (optional)	NAMailbox.-Licensing@met.police.uk

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

		Please tick one or more boxes
1	The prevention of crime and disorder	<input checked="" type="checkbox"/>
2	Public safety	<input checked="" type="checkbox"/>
3	The prevention of public nuisance	<input type="checkbox"/>
4	The protection of children from harm	<input type="checkbox"/>

Please state the ground(s) for review: (please read guidance note 2)

The venue has been found to be in breach of both Covid and smoking regulations.

PROTECTIVE MARKING

Please provide as much information as possible to support the application: (please read guidance note 3)

Since the Covid 19 outbreak in the UK last year, 1 million people have been infected and more than 100,000 people have died. The government announced a number of measures to contain the spread of infection and there are specific regulations for licensed premises. Responsible licensed operators have been following these rules throughout the year, however there are a minority of licensed operators who have blatantly disregarded the law and the Premises License Holder for Hop Poles is one such operator.

On two occasions in 2021 during lockdown, members of the public have reported the Hop Poles for having lock-ins.

On Saturday 23rd January 2021 at 1524 hours, police received a call (4237/23JAN21 refers) stating the premises was seen to be having lock-ins the night before with a large number of people who had entered via the back door. On attendance officers saw evidence that drinks were being served.

On Friday 26th March 2021 at 1018 hours, police received a call (CAD 2115/26MAR21 refers) stating that the premises was still operating and allowing a large number of people inside at night.

On 17th April 2021 police and LBE officers attended the Hop Poles at approximately 2040 hrs, due to previous calls of the premises having lock ins at night. Officers found the windows fully obscured and were unable to gain access to the premises as it was fully boarded up from the outside. There was no response at the front door despite several attempts. Officers managed to gain entry through the rear doors of the premises to discover around 17 people present in the bar. There was a strong smell of cigarette smoke and there were cigarettes in ashtrays. There was alcohol in glasses on the table.

Officers spoke to people there and were told the landlord allowed them in as it was cold. PS Wolohan identified the Designated Premises Supervisor Mr Michael John Kirby, who is also one of the licence holders. He was drinking beer and PS Wolohan states in her opinion he was drunk. PS Wolohan also observed two other patrons who appeared to be drunk, one appeared to have consumed a considerable amount of alcohol and knocked over a snack stand and another also appeared considerably drunk and needed assistance to leave the premises.

Mr Kirby was spoken to following a visit to Edmonton Police Station where he handed over CCTV that was requested by Police. During this visit he stated he allowed people to come in and wait for taxis, however CCTV shows the bar staff still serving bottles to tables. The footage supplied only goes back to around 2000 hours despite footage from 1900 hours being requested (timestamp shows 1900 hours but not adjusted for BST); at 2000 hours the bar is quite full so patrons had clearly been there and settled for some time. Mr Kirby was drunk in charge of the premises.

The Hop Poles has been proven to have had a lock in contrary to Covid regulations on this occasion and is suspected to have done so in the past. There were also breaches of smoking regulations. The establishment is not being correctly managed and in its current form is a risk to public health and safety, as well as allowing criminal offences under the Health Act 2006 to be committed. It is felt by Police that the only appropriate course of action is to revoke the Premises Licence. It is clear that the licence holder does not abide by legislation, and the Police believe has undermined the Licensing Objectives, namely the Prevention of Crime and Disorder and Public Safety.

PROTECTIVE MARKING

Have you made an application for review relating to this premises before?

(Please tick yes)

Day Month Year

If yes, please state the date of that application:

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

PROTECTIVE MARKING

Please tick Yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.



I understand that if I do not comply with the above requirements my application will be rejected.



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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature:	 1230NA	Date:	21/05/2021
Capacity:			

Contact name (where not previously given) and postal address for correspondence associated with this application: (please read guidance note 6)

Post town:		Post code:	
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Telephone Number (if any):

If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional):

NAMailbox.-Licensing@met.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Annex 3



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: The Hop Poles Public House
320 Baker Street, Enfield, EN1 3LH

Type of Application: Review (Police)

I certify that I have considered this review and **I wish to make representations** supporting the review application as activities at the premises are detrimental to the following Licensing Objectives:

- **Prevention of Crime and Disorder**
- **Public Safety**

Background History:

The licence for this premises was varied in 2019 resulting in representation from the Licensing Authority. Those representations included background history up until 1st March 2019. The application was heard by the Licensing Sub Committee on 13th March 2019. This representation includes the history of the premises since that date.

16.08.2019 – Anonymous noise complaint received. As anonymous Officers were unable to find out any further details about type of noise, times etc.

04.07.2020 – 22:16 Out of Hours Licensing Officers (CT) visited the premises to carry out a covid visit – ‘all appeared ok’

30.09.2020 – Full Covid Inspection carried out. **See Appendix 1.**

25.01.2021 – The Council's Licensing Team were notified by the Police Licensing Team of an allegation that the premises was open and selling alcohol for consumption inside the premises in breach of Covid regulations. CAD 4237/23 – Police attended at 1993hrs on the 23rd to reports of a potential lock in occurring at the venue. The complainant alleged this was a regular occurrence. Officers witnessed used glasses stacked up on the bar and staff cleaning the equipment/ stocking shelves. Although no customers were present it appeared that staff were preparing for something later that night. As the landlord was not available despite knocking on the residential section of the pub the officers were unable to verify their details. The officers were of the opinion that that the premises was operating despite the lockdown.

27.01.2021 – Out of Hours Enforcement Officers visited some premises as part of a joint patrol with the Police Covid response team. The police advised the officers that

there was no need to visit this premises as they had visited earlier and it was quiet/no activity.

29.01.2021 – 21:20 - Out of Hours Enforcement Officers visited the premises as part of a joint patrol with the Police Covid response team. No activity, all quiet.

05.02.2021 – Out of Hours Licensing Enforcement Officers (EVG/CT) visited the premises at 20:30 - all closed up, customers seen collecting take away, no sign of pub activity. 01:50 – rechecked and premises in darkness, no sign of activity.

15.04.2021 – 20:15 - Out of Hours Enforcement Officer visited the premises, met employee who advised officer that the premises was. No customers at time of visit.

17.04.2021 – 20:30 Out of Hours Licensing Enforcement Officers (EVG/CT) visited the premises whilst on joint patrol with Police Licensing Officers. Parked car in pub car park. Observed A Board at entrance to car park advertising "Beer Garden - Open". Low fence, could see into beer garden, not in use. Police officers attempted gate into garden, appeared to be locked. Attempted to open front door and side door, all locked. However, all lights clearly on, a screen showing TV switched on, and the chatter from people inside clearly heard through the door. The door although having glass panels either side, had been covered up. Secrecy screens applied to all windows, but normal glass at top of windows. Peering through cracks of the covered up door glass, an officer (EVG) could see at least two males with silver hair sitting at a table close to the front door. Officer (EVG) banged loudly on the door. The noise did not cause the males to look at the door. The Officer banged again for a longer, louder period. Officer observed a blonde female go behind the bar counter and look up at the CCTV monitor and then disappear. The door was still not opened. Officers observed 2 x take away drivers appear at the beer garden gate. They advised they were collecting from the Thai restaurant which operates out of the pub. The same blonde female that the officer had seen behind the bar appeared at the beer garden gate. The officers introduced themselves and she advised she would get the owner. The Officers followed the female through the beer garden, into the back door, entering by the rear stairs, entering the premises by the kitchen. Thai food was being prepared. The officer (EVG) immediately observed the air was foggy with cigarette smoke and they could hear noise from general chatter. There were approximately 17 customers inside the premises along with the PLH/DPS - Mr Michael Kirby. Mr Kirby was drinking a pint of lager at the table closest to the side fire exit. He was accompanied by approximately 3 males on his table. Several tables were in use and customers were seen to be drinking, including alcohol. Also, ashtrays were seen on tables and one female observed to carry on smoking. The Police Officers took names and addresses of all the individuals. One of the officers (EVG) spoke to Mr Kirby who advised that it was like a wake, as a couple of these customers had parents who had died from Covid. This was not mentioned by any individuals to the police officers. Mr Kirby went on to state that his customers were complaining they were cold when sitting outside so what else could he do. The officer advised Mr Kirby that he would likely receive formal action under covid regulations, smoking legislation and also a licence review. Mr Kirby stated he understood but when the officer moved away from Mr Kirby another officer (CT) heard Mr Kirby say that this was a lot of fuss. Mr Kirby advised the officer (EVG) that his wasn't the only pub doing this however when asked to share the details he declined. The Officer (EVG) took photos of the filled ashtrays, the 2 x doorways which were covered with bin liners to prevent people seeing inside and the side fire exit, which was locked, there were a pair of curtains which had been drawn to prevent people seeing in – **See Appendix 2.** The customers left the premises once their details had been given to the police. There were approximately three members of staff, excluding Mr Kirby and the kitchen cooks. One male was observed to have consumed a considerable amount of alcohol as he

knocked over a snack stand on his way to the toilet, and was very red in the face, unsteady and chatting loudly/randomly. Another female was observed to be swaying as she put on her coat and was assisted in walking out of the premises, she was also struggling to speak sensibly. One male was heard to say on his mobile phone "no they haven't left yet, they are still here". Officers wondered whether this was a tip off to another premises that they were carrying out visits. An Officer (EVG) completed a report sheet with brief findings which Mr Kirby signed and was given a copy of **See Appendix 3** Officers left the premises at approximately 21:00.

20.04.2021 - As a result of activities witnessed on 17th April 2021 a Prohibition Notice was served. **See Appendix 4.**

09.05.2021 – 19:30 Out of Hours Officers (RCA/JI) carried out a Covid Inspection. Entered via beer garden. Fourteen people outside. Entered premises, no-body inside. Door/entrances. Only access via side into garden. No smoking or drinking inside. to building closed. Face covering and social distancing no compliant. Social distancing and face covering were non-compliant. **See Appendix 5.**

13.05.2021 – 20:40 - Out of Hours Officers visited the premises to carry out a licence inspection. Premises closed.

21.05.2021 – 19:30 – Out of Hours Licensing Enforcement Officers (EVG/JI) entered the premises to carry out a full licence inspection. On entering the premises they observed a one way system in place - the middle front door was the only entrance, the door on Lancaster Road was taped off and "No entry" sign displayed. The fire exit door on Baker Street was not open. The exit was through the function room, and out through the beer garden. In the beer garden were marquee type shelters (not enclosed) where customers went to smoke. Hand sanitiser and covid posters were all displayed correctly. The bar had been taped off using stools and tape to prevent customers accessing the bar. The pub was busy, most tables taken, no more than 6 at any table. No concerns relating to Covid measures identified. No smoking indoors. Mr Michael Kirby PLH/DPS was working behind the bar. Officers asked to speak to him in a quieter area and were shown into the back hallway where customers cannot access. Mr Thomas Battersby, the second PLH, was not on the premises at this time. The officers gave the review application to Mr Kirby and advised that they would display the blue notices outside. Officers advised that as a result of the review, a full licence inspection was required. Mr Kirby asked why the Officers came at that time and not earlier or by appointment when it was less busy. The Officers advised inspections like this are carried out during peak performance and unannounced to check conditions that may only apply at weekend evenings for example. The following conditions were observed to be non-compliant:

Condition 2 - Mr Kirby advised that staff have been trained and records kept but was too busy to go and get them to show officers.

Condition 3 and 4 - Mr Kirby stated that the refusals book and incident log were kept, but were upstairs (office is upstairs), again too busy to collect.

Officers advised Mr Kirby that he had 7 days to email copies of the above records/logs for the last year to the Licensing Enforcement Officer.

No regulated entertainment was provided at the time of the visit, therefore SIA condition did not apply. An inspection report was completed with the non-compliances and advice, which was signed and a copy issued to Mr Kirby. **See Appendix 6.** Officers left the premises and displayed the blue notices outside.

25.05.2021 – Senior Licensing Enforcement Officer (CPX) received a voicemail message from the DPS asking for a call back as he had been asked to take photos and email them over but there are 100's of pages. The officers called him back and

advised him to send the most up to date pages and to have them to hand in case Officers needed to visit the premises and look at more. He said they had been in the loft as they have been closed for a long time. The Officer advised him that as soon as the premises reopened the documents should have been available and being used again. Photos received via email, all of which related to 2019. **See Appendix 7.** Having looked at the photos it appears that the documents do not go beyond 2019. The Licensing Authority appreciates that the premises will have been closed on and off as the Covid Regulations changed but each time the premises did open the Premises Licence Holder/DPS should have continued keeping these records up to date. Officers have visited the premises several times since 2019 to carry out Covid inspections, licence inspections etc and these should all have been documented in the incident book. Staff training should have been carried out every six months in line with the licence condition or as soon as they started trading if closed for more than six months at a time.

08.06.2021 – Senior Licensing Enforcement Officer (CPX) emailed the DPS and requested that they carry out refresher training with all staff in line with the licence conditions and provide evidence that it has been completed along with evidence that an up to date refusal book, incident book and door supervisor logbook are available for use. **See Appendix 8.**

Email received from DPS with 3 additional photos of one book used to record noise check, incidents, accidents and refusals started on 17th May 2021. None of the photos related to training or door staff. **See Appendix 9.**

Conclusion:

The Licensing Authority supports this licence review application by the Police to revoke the Premises Licence. The Licensing Authority is the opinion that the following licensing objectives have been undermined:

- **Prevention of Crime and Disorder**
- **Public Safety**

If the Licensing Committee is minded not to revoke the licence then the Licensing Authority ask that the licence be suspended until the following actions have been completed:

1. A Vary DPS application has been granted.
2. Staff training has been carried out and documented in line with the relevant licence condition.

The Licensing Authority would also recommend the following conditions be added to the premises licence:

- Curtains or other forms of window coverings shall not be used to block sight access into the premises.

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

Duly Authorised: Charlotte Palmer, Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk

Signed: CPALMER Date: 15/06/2021



CONSUMER PROTECTION TEAM – Covid-19 INSPECTION REPORT

WK:	Ward:
TRADING NAME: <u>The Hop Poles</u>	DATE OF INSPECTION <u>30/9/20</u>
ADDRESS: <u>Public House, 320 Baker Street EN1 3LN</u>	TIME INSPECTION COMMENCED: <u>13.30</u>
Tel/mobile: [REDACTED]	TIME INSPECTION FINISHED: <u>14.25</u>
REGISTERED OFFICE: <u>Hop Poles Ltd (Enfield) Ltd</u>	EMAIL: [REDACTED]
	NUMBER OF PAGES: <u>2</u>

Person(s) Seen / <u>John O'Dell / Michael John Kirby</u>	Responsibility in business: <u>Director</u>
Owner (if different from above) <u>Hop Poles Ltd</u>	
Type of Premises: <u>Public House / Catering</u>	

Urgent Actions:

- keep manual Track & Trace recording sheet stored securely (will be kept ~~at~~ behind bar) } No w
- Register with the Information Commission Office for Track + Trace as gathering personal information } No w

Further information can be found at: <https://www.gov.uk/coronavirus>
<http://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

Action to be taken by Authority:

Revisit : Yes No

FPN Yes No

This report only covers the areas seen & discussed at the time of the inspection. It remains the responsibility of the business (Ltd Co/Director/Sole Trader) to comply with all relevant legislation and associate Regulations.
 Relevant Legislation; Health & Safety at Work Act 1974; the Public Health (Control of Disease) Act 1984
 The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020
 The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020
 IF YOU DO NOT UNDERSTAND THIS REPORT, OR WANT TO DISCUSS IT, PLEASE CONTACT THE OFFICER (DETAILS BELOW).

Issued by JOHN SAVVA Designation Senior Technical Officer Telephone No. 020 8132 0689

Received By (Name in Block Capitals) JOHN O'DELL Signature

Consumer Protection Team Civic Centre, Silver Street, Enfield, EN1 3ES
 Email: environmental.health@enfield.gov.uk / john.savva@enfield.gov.uk

A summary of main mandatory requirements* laid out by virtue of the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations 2020 (as amended), the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020, the Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020 and the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020.

<p><u>Face Coverings by all staff and customers</u></p> <ul style="list-style-type: none"> It is now compulsory for retail, leisure and hospitality staff to wear a face covering (and/or visor) in areas that are open to the public and where staff come or are likely to come in contact with a member of the public. Any person attending premises that provide hospitality (e.g. customers of bars, pubs, restaurants, cafés), must also wear a face covering at all times, unless an exemption applies. (see overleaf for examples of exemptions). 	<input checked="" type="checkbox"/>
<p><u>Contact Tracing for all individuals or groups</u></p> <ul style="list-style-type: none"> All individuals entering premises must provide their contact details, including their name and telephone number (else an email or postal address if they do not have a telephone number). Alternatively, they can check-in via the NHS contact tracing app and the venue's own QR code. NB: All premises must provide a QR code for use with the NHS Track and Trace App. Visit https://www.gov.uk/create-coronavirus-qr-poster to register. Any groups of maximum six customers entering premises must either provide the contact details of each member of the group as above, or one member of the group can provide their contact details, with the number of people in the group to be recorded. In addition to the QR code, all venues must provide at least one other measure to capture contact tracing information, such as a physical signing in/out book; or an electronic booking/ticketing system. At restaurants, cafés, bars and public houses, any person or a group of who does not provide their contact details must be denied entry. 	<input checked="" type="checkbox"/>
<p><u>Table Service</u></p> <ul style="list-style-type: none"> Customers at bars, pubs, restaurants and cafés, licensed for the supply of alcohol for consumption on the premises, must order and be served with food and drink via the table service. Sitting, standing or ordering at the bar is not permitted. 	<input checked="" type="checkbox"/>
<p><u>10pm Closing time</u></p> <ul style="list-style-type: none"> Any premises licensed for the supply of alcohol for consumption on the premises that provide food and drink for immediate consumption on the premises, may not commence operation before 5am, and must cease operating at 10pm (exemptions exist for deliveries and drive-throughs). This means that all patrons must have left the premises by 10pm. Suitable last orders and drinking-up time should be put in place to accommodate this. After 10pm, <u>only staff</u> may be present at the premises to conduct the end of night shift duties. 	<input type="checkbox"/> <input checked="" type="checkbox"/>

Premises Name and Address:	Hop Poles 320 Market Street en13 3LH
Officer Name:	JOHN SAVVA
Staff (Sign):	
Staff (Name) – please PRINT.	John O'Dell
Staff Position:	Bar Staff / Director

By signing this form, you agree and confirm that you have read (or have had read to you) and understood these requirements.

Where the signatory is not the licence holder or DPS, you will provide a copy of this form to them.

A full list of face covering exemptions are listed in the Regulation 3(2) of the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place (England) Regulations 2020. Some examples of face covering exemptions are given below:

- children under the age of 11 (Public Health England does not recommend face coverings for children under the age of 3 for health and safety reasons);
- people who cannot put on, wear or remove a face covering because of a physical or mental illness or impairment, or disability;
- where putting on, wearing or removing a face covering will cause you severe distress;
- if you are speaking to or assisting someone who relies on lip reading, clear sound or facial expressions to communicate;
- to avoid harm or injury, or the risk of harm or injury, to yourself or others – including if it would negatively impact on your ability to exercise or participate in a strenuous activity;
- police officers and other emergency workers, given that this may interfere with their ability to serve the public;
- if asked to do so by relevant employees for identification or for age identification purposes, including when buying age restricted products, such as alcohol;
- when seated to eat or drink in a hospitality premise, such as a pub, bar, restaurant or café. You must put a face covering back on once you finished eating or drinking.

This document is only a summary of the legislation. Laws can and do change, and the interpretation of law may develop through case law.

The information provided in this document is accurate to the best of our knowledge and belief, at the time it was published (24/09/2020).

*- Not an exhaustive list

WK	Premises Name & Address:	Y/N or N/A
A	General Assessment	
1	What posters are on display? (e.g. max capacity; face coverings etc) <i>All relevant provided additional face mask signs on visit</i>	✓
2	Risk Assessment	
2.1	Have premises undertaken a risk assessment?	✓
2.2	Is the RA documented?	✓
2.3	Employers must not knowingly require or encourage someone who is being required to self-isolate to come to work Does the owner remind staff daily to attend work only if they and their household are well and not self-isolating? 10 days for case 14 days for contact	✓
3	Measures to Protect Staff	
3.1	Face Coverings (notes for officer) The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020 (Rg.3 amended now employee Powers- Rg5 (7)(e) ' <ul style="list-style-type: none"> • Customers in hospitality venues must wear face coverings, except when seated at a table to eat or drink. • Staff in hospitality and retail services are required to wear face coverings where in contact with customers • Guidance stating that face coverings and visors/goggles should be worn in close contact services (hairdressers/salons) will now become law (from 24 September). • Exemptions include; (see schedule for other exemptions). <ul style="list-style-type: none"> o Under 11 o They have a "reasonable excuse" e.g. medial issue. BUT you can not ask for evidence of this. https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/close-contact-services https://assets.publishing.service.gov.uk/media/5eb96e8e86650c278b077616/working-safely-during-covid-19-restaurants-pubs-takeaways-240920.pdf	
3.2	Is the business reminding customers to wear face coverings where mandated? (e.g. Until food & drink served at table)	✓
3.2	Are there adequate hand washing facilities (hot water; soap; materials for drying hands)?	✓
3.3	Is hand sanitiser available?	✓
3.4	Where relevant are there 'sneeze screens' barrier to protect both customers and the till operatives <i>Table serve only</i>	N/A
4	Measures to protect customers inside the premises e.g.	
4.1	What is the Covid safe capacity? <i>Was 300 now 80</i>	✓

4.2	Do the premises limit the number of people in the premises?	80 only reduced from 300	Y
4.3	Are there stewards/security/sufficient staff?		Y
4.4	Is there a one-way system in place?		Y
4.5	Are there floor markings?		Y
4.6	Is T & T manual data recorded/stored & destroyed securely?	kept at entrance but with heap behind bar	Y
B	Legal Assessment- Failure to Comply Consider FPN		
5	Track & Trace (info for officer) The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020 Exemptions include; <ul style="list-style-type: none"> unable to provide the details set out in regulation owing to a physical or mental disability or other reason related to their health, or under the age of 16. 		Y
5.1	Is the QR poster displayed? (specify location)		
5.2	If customers does not use QR is there a T & T system recording the following; <ul style="list-style-type: none"> the name of every customer or visitor. a contact phone number or email or address for each customer or visitor date of visit, arrival time and, where possible, departure time 		Y
5.3	Groups of 6; are they recording details of each persons in the group?		Y
6	The Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 5) Regulations 2020		
6.1	10pm-5am close. Is the business closed between 10pm & 5am Applies to all businesses selling food or drink (including cafes, bars, pubs and restaurants), social clubs		Y
6.2	What time is "last orders"		9:30pm
6.3	Is the business aware that they must not operate as a takeaway after 10pm but delivery is permitted?		Y
7	Consumption of food on the premises The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020		
7.1	Is food and drink ordered from, and served at, a table?		Y
7.2	Is there an "appropriate distance" between the tables of at least 2m or At least one meter if there are barriers or screens between tables; the tables are arranged with back to back seating or otherwise arranged to ensure that persons sitting at one table do not face any person sitting at another table of a distance of less than 2m.		Y

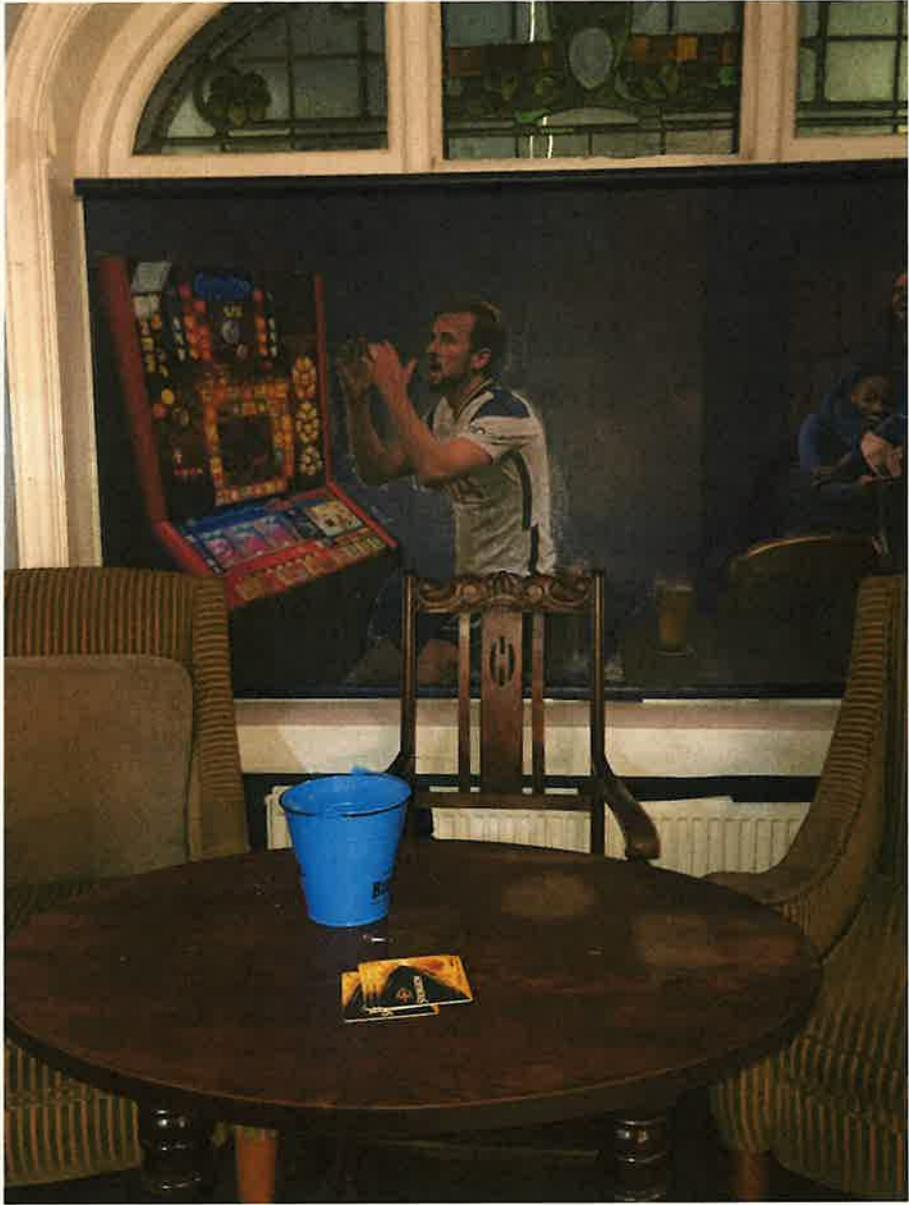


















CONSUMER PROTECTION TEAM - Covid-19 Front Sheet (reopening 12/4/21)

Type of visit: Initial Visit Revisit Implicated Setting Visit

Ward: _____

PREMISES NAME: The Hop Poles DATE OF INSPECTION: 17/4/21

TRADING NAME: _____ INSPECTION COMMENCED: 20.40

ADDRESS: 320 Baker Street
Enfield TIME INSPECTION FINISHED: _____

TEL/mobile: _____ EMAIL: _____

REGISTERED OFFICE/HOME ADDRESS: _____

Company Name & Number: _____

Person(s) Seen: Michael Kirby Responsibility in business: PUH + DPS

Owner (if different from above): _____

Type of Premises: Pub

Compliance Summary	Non-Compliant (NC) or Compliant (C)	Urgent Actions
QR poster		
No internal seating for consumption of food/drink on premises	NC	17 customers inside premises drinking and smoking.
FCNW (face coverings not worn by staff or public)		Customers and friends, some customers are suffering bereavement.
FCNC (face coverings not challenged &/or no face covering poster)	NC	Customers too cold outside.
SD (measures in place eg; 2m; one way system; screens etc)		
Other		

Advised likely to receive formal action under Covid Regs and possible licence review, and smoking breaches.

Action to be taken by Authority:

Revisit: Formal Notice:

This report only covers the areas seen & discussed at the time of the inspection. It remains the responsibility of the business comply with all relevant legislation and associate Regulations.

IF YOU DO NOT UNDERSTAND THIS REPORT, OR WANT TO DISCUSS IT, PLEASE CONTACT THE OFFICER (DETAILS BELOW).

Issued by: Ellie Green Designation: Licensing Telephone no: 020 8132 2128 020 8379 1000

Received By (Name in Block Capitals) Michael Kirby Signature

Consumer Protection Team Civic Centre, Silver Street, Enfield, EN1 3ES
Email: Environmental.health@enfield.gov.uk / «TS»«OFFICEREMAIL»«TE»



Mr Michael Kirby
Owner of The Hop Poles Public House
320 Baker Street
Enfield
EN1 3LH

Please reply to: Amanda Butler

Email: Amanda.butler@enfield.gov.uk
Phone: 0208 132 1572
Textphone:
Fax:
My Ref: Wk/ 220085361

Your Ref:
Date: 20th April 2021

Dear Michael Kirby-Owner of The Hop Poles Public House

**The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021
(SI. 2021 No. 364)**

On 17th April 2021, Officers from Enfield Council conducted an inspection at your business premises namely The Hop Poles Public House-320 Baker Street, Enfield EN1 3LH.

During the inspection, it is alleged that your business premises provided the service of selling food or drink for consumption on the premises that was not served to a customer(s) seated outdoors on the said premises other than as permitted by the exceptions listed, and being in contravention of regulation 7 and Part 2 of Schedule 2, paragraph 9(4) of The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021.

Actions required:

- **Immediately close the indoor premises, or indoor part(s) of the premises, in which food or drink are provided for consumption on the premises,**
- **Immediately cease providing food or drink for consumption indoors on the premises**
- **Immediately cease carrying on a business/providing the service of selling food or drink for consumption on the said business premises that was not served to a customer seated outdoors other than as permitted by paragraph 9(2)(a), 9(2)(b), or the exceptions listed in paragraphs 10 and 11**

Sarah Cary
Executive Director Place
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

www.enfield.gov.uk

? If you need this document in another language or format contact the service using the details above.

Please find enclosed a prohibition notice for a breach of the above Regulations

This prohibition is effective for the entire period of Step 2 restrictions in England.

Enfield Council's Consumer Protection Team will issue a Fixed Penalty Notice for £1000, if the prohibition notice is breached.

Yours sincerely



Amanda Butler
Senior Fair- Trading Officer
Encl. Prohibition Notice

IMPORTANT – Are you Registered to Vote? Do you want to vote by post? Apply early.
To find out more go to www.gov.uk/register-to-vote

London Borough of Enfield

**The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021
(SI. 2021 No. 364)**

PROHIBITION NOTICE WK/220085361

20th April 2021

Part A

To Mr Michael Kirby – Owner of The Hop Poles Public House

Trading as: The Hop Poles Public House

At: 320 Baker Street, ENFIELD, EN1 3LH

This Prohibition Notice is served under regulation 10(6) of The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 (the "Regulations") and has immediate effect.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Amanda Butler- Senior Fair-Trading Officer, designated as a relevant person for the purposes of the Regulations by Enfield Council, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent you from continuing to contravene that requirement.

Part B. Contravention of the restrictions

Regulation contravened:

In relation to a breach of a Step 2 restriction imposed by regulation 7 and Part 2 of Schedule 2, paragraph 9(4) (Restrictions on service of food and drink for consumption on the premises – subject to the exceptions listed, this applies to business or service listed in paragraph 13(4), or is carried on from, or provided at, premises of a kind specified in paragraph 13(4) which serves alcohol for consumption on the premises.

Particulars of the offence

It is alleged that on 17th April 2021, Michael Kirby Owner of The Hop Poles Public House 320 Baker Street, Enfield, EN1 3LH carried on the business /provided the service of selling food or drink for consumption on the premises that was not served to a customer seated outdoors on the said premises other than as permitted by the exceptions listed, and being in contravention of regulation 7 and Part 2 of Schedule 2, paragraph 9(4) of The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021.

Part C. Action required

This Prohibition Notice requires that you immediately cease the activities identified in Part B giving rise to the contravention of the Regulations. The measures specified below must be taken to prevent continued contravention of the Regulations:

In relation to a breach of a Step 2 restriction imposed by regulation 7 and Part 2 of Schedule 2, paragraph 9(1) (Restrictions on service of food and drink for consumption on the premises - applies to business or service listed in paragraph 13(4), or is carried on from, or provided at, premises of a kind specified in paragraph 13(4)):

Actions required:

- **Immediately close the indoor premises, or indoor part(s) of the premises, in which food or drink are provided for consumption on the premises,**
- **Immediately cease providing food or drink for consumption indoors on the premises**
- **Immediately cease carrying on a business/providing the service of selling food or drink for consumption on the said business premises that was not served to a customer seated outdoors other than as permitted by paragraph 9(2)(a), 9(2)(b), or the exceptions listed in paragraphs 10 and 11**

Part D. Consequences of non-compliance with this Notice, and with the Regulations

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under regulation 11 of the Regulations, punishable by a fine on summary conviction in a Magistrates' Court.

A fixed penalty notice may be issued in accordance with regulation 12 of the Regulations, or you may be prosecuted under regulations 11 and 18 of the Regulations

Part E. Representations of this Prohibition Notice

If you consider that the Notice should not have been issued, you can make representations to Enfield Council, Head of Regulatory Services and Occupational Health and Safety, by email outlining your reason, within 7 days of the date on this Notice.

In the email subject header quoting WK/220085361 reference and Representation against COVID PN.

This Notice remains in force even if you have raised a representation.

Should the local authority's review of your representation determine that the Notice should not have been issued, you will be notified in writing via email that the Notice has been revoked.

Signed:



Date: 20th APRIL 2021

Name in Capitals: AMANDA BUTLER-SENIOR FAIR-TRADING OFFICER

Name and Address of Local Authority: London Borough of Enfield, Civic Centre, Silver Street, Enfield EN1 3XH

Telephone: 0208 132 1000

Email: Amanda.butler@enfield.gov.uk

If you are not sure of your rights or the implications of this Notice, you may want to seek independent legal advice.

CONSUMER PROTECTION TEAM – Covid-19 INSPECTION REPORT



WK:	Ward:
TRADING NAME: THE HOPE POLES	DATE OF INSPECTION 9/5/21
ADDRESS: 320 BALWY ST EN1 3LH	TIME INSPECTION COMMENCED: 19:20
Tel/mobile	TIME INSPECTION FINISHED: 20:00
REGISTERED OFFICE	NUMBER OF PAGES: 1

Person(s) Seen / JOHN O'DELL + JOHN KERBY Responsibility in business:
 Owner (if different from above) AS ABOVE
 Type of Premises:

Urgent Actions:
 - NO FACE COVERING AT TIME OF VISIT. REMIND TO WEAR FACE COVERINGS WHILE SERVING CUSTOMERS.
 - REMIND CUSTOMERS TO MAINTAIN SOCIAL DISTANCING ACCORDING TO
 Further information can be found at: <https://www.gov.uk/coronavirus>
<http://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

Action to be taken by Authority:

Revisit: Yes / No FPN Yes / No

This report only covers the areas seen & discussed at the time of the inspection. It remains the responsibility of the business (Ltd Co/Director/Sole Trader) to comply with all relevant legislation and associate Regulations.
 Relevant Legislation; Health & Safety at Work Act 1974; the Public Health (Control of Disease) Act 1984
 The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020
 The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020
 IF YOU DO NOT UNDERSTAND THIS REPORT, OR WANT TO DISCUSS IT, PLEASE CONTACT THE OFFICER (DETAILS BELOW).

Issued by  Designation SEHO Telephone No. 020 8132 0696
 Received By (Name in Block Capitals) JOHN O'DELL Signature 

Consumer Protection Team Civic Centre, Silver Street, Enfield, EN1 3ES
 Email: environmental.health@enfield.gov.uk /@enfield.gov.uk

CONSUMER PROTECTION TEAM – Covid-19 Front Sheet (reopening 12/4/21)

Type of visit: Initial Visit Revisit Implicated Setting Visit

WK	Ward:
PREMISES NAME: <u>THE HOT POLIS</u>	DATE OF INSPECTION: <u>9/5/21</u>
TRADING NAME: (If different from above)	INSPECTION COMMENCED: <u>19.21</u>
ADDRESS: <u>320 BALCAN ST EN1 3LH</u>	TIME INSPECTION FINISHED: <u>20.00</u>
TEL/mobile: _____	EMAIL: _____
REGISTERED OFFICE/ HOME ADDRESS: _____	NUMBER OF PAGES: <u>1</u>
Company Name & Number: _____	
Person(s) Seen: <u>JOHN ODELL / JOHN (CHRISY)</u>	Responsibility in business: _____
Owner (if different from above): _____	
Type of Premises: _____	

Compliance Summary	Non-Compliant (NC) or Compliant (C)	Urgent Actions
QR poster	<u>C</u>	
No internal seating for consumption of food/drink on premises	<u>C</u>	
FCNW (face coverings not worn by staff or public)	<u>NC</u>	
FCNC (face coverings not challenged &/or no face covering poster)	<u>C</u>	
SD (measures in place eg; 2m; one way system; screens etc)	<u>NC</u>	
Other		

Action to be taken by Authority:

Revisit: Formal Notice:

This report only covers the areas seen & discussed at the time of the inspection. It remains the responsibility of the business comply with all relevant legislation and associate Regulations.

IF YOU DO NOT UNDERSTAND THIS REPORT, OR WANT TO DISCUSS IT, PLEASE CONTACT THE OFFICER (DETAILS BELOW).

Issued by:	Designation:	Telephone no:
<u>PERRO</u>	<u>SETHO</u>	020 8132 / 020 8379 1000

Received By (Name in Block Capitals) JOHN ODELL Signature 

REF: WK/

LICN_1

LICENSING ENFORCEMENT INSPECTION REPORT

Premises Name	The Hop Poles	
Premises Address	320 Baker Street	
Time of Visit:	Start: 19.30	Finish:

During an inspection of your premises on21 May.....20.21....., the following was checked:

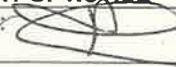
Part B of Premises Licence displayed? Yes No
 Address & tel no. of PLH & DPS on licence correct? Yes No (If incorrect, insert new details below)
 Conditions of licence checked? Yes No

No. of condition not in compliance	Evidence/Advice
C 2	Training records have been done stated Mr Kirby but not available on inspection. Request for copies to be forwarded on.
C.3+4	Refusals log and incident log kept upstairs need to be shown to officers
	Mr Kirby was very busy so did not have time to show us the training records, refusals log or incident log.
	Please send copies of training logs for the last year + refusals log + incident log to Charlotte Palmer *

Any other matter(s) that need addressing:

No regulated entertainment, therefore SIA not required at time of visit. Think 21 in place.

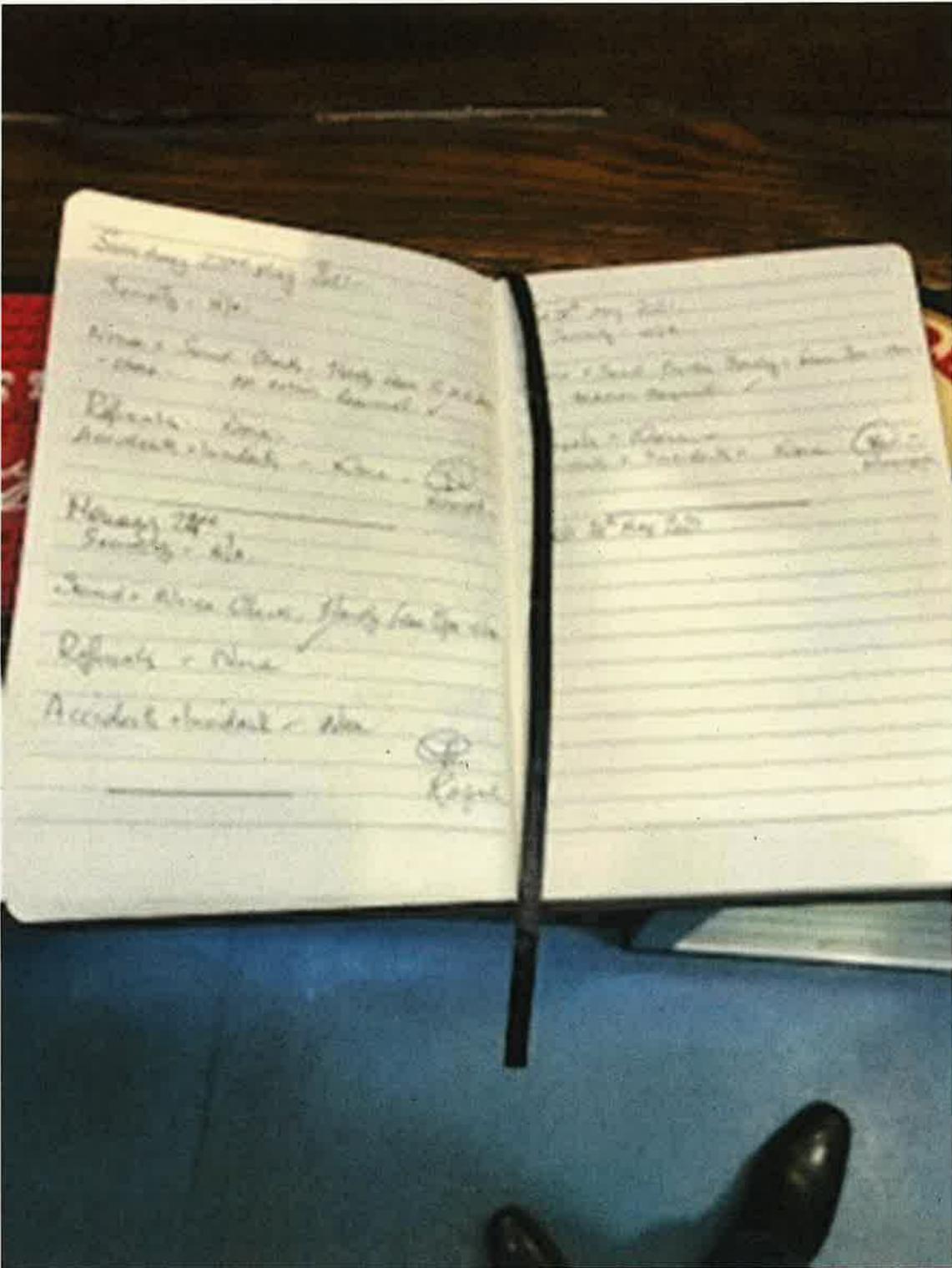
You are required to have the above matters attended to within7.....days of this notice. Failure to rectify the above breaches may constitute a criminal offence and result in legal proceedings being brought against you.

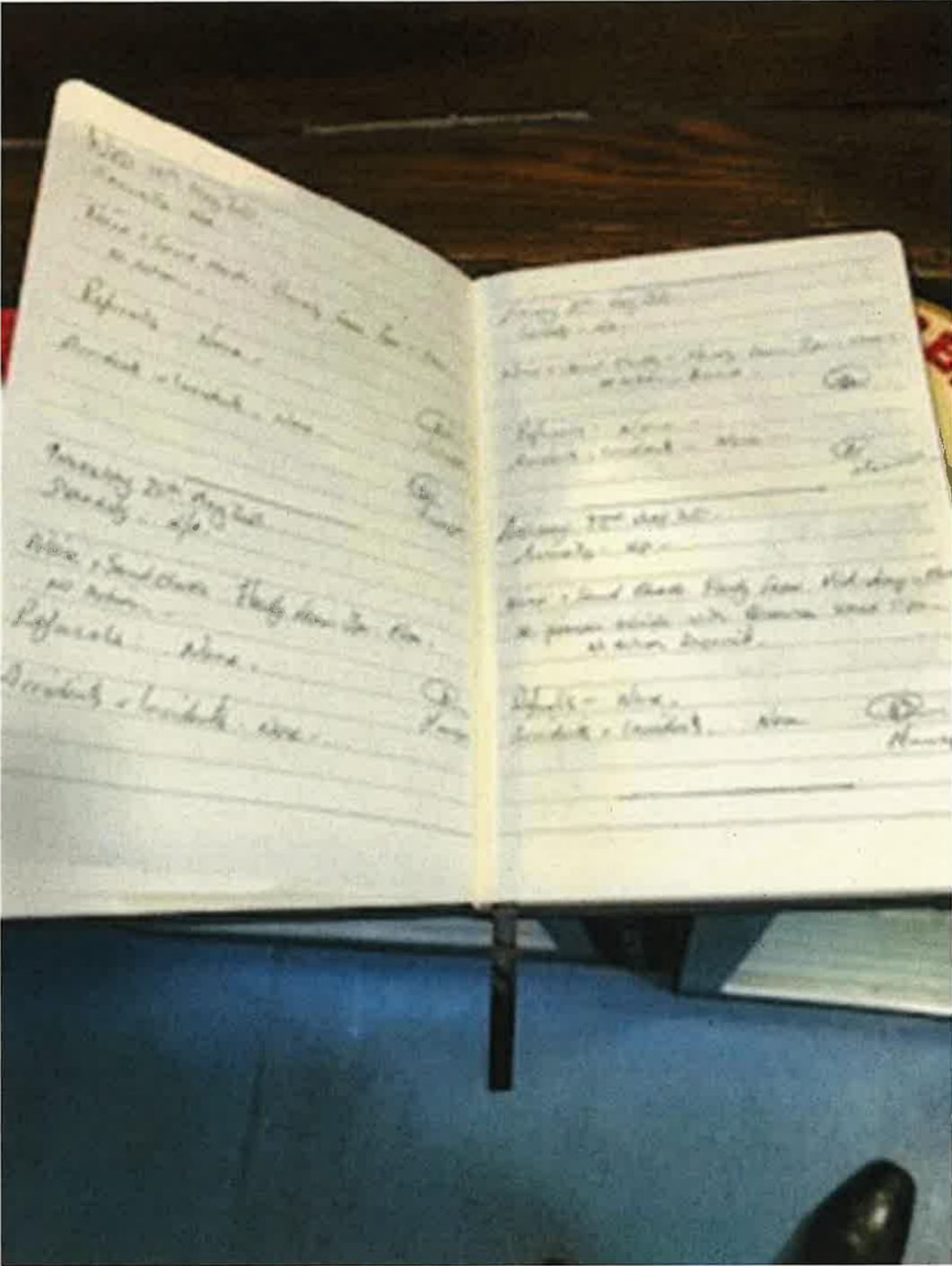
LICENSING ENFORCEMENT	RECIPIENT OF NOTICE
Print Name of Officers in Attendance: Ellie Green Joynal	Signature: 
If you have any queries relating to this report please contact Charlotte Palmer, Senior Licensing Enforcement Officer via 0208 132 2004 or charlotte.palmer@enfield.gov.uk *	Print Name & Position: Mr Michael Kirby
	Email/Tel: 

*Application forms can be downloaded at: <https://new.enfield.gov.uk/services/business-and-licensing/>



* check licence times.





Monday 20th May 1968
 Sunday - 19th
 Miss + Sandrine Holy day in the
 no work
 Referrals - none
 Accident + treatment - none
 Q. P.

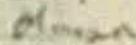
Monday 20th May 1968
 Sunday - 19th
 Miss + Sandrine Holy day in the
 no work
 Referrals - none
 Accident + treatment - none
 Q. P.

Inside Bus Area

Mon: 17th May 2021.

All security regained as an intercommed on site 21st June 2021.

Noise & Loud Clack

No^{is} 30m until case 11m (handy) - 
No action: 

Referrals: None

Accidents & Incidents: None - 
Manning

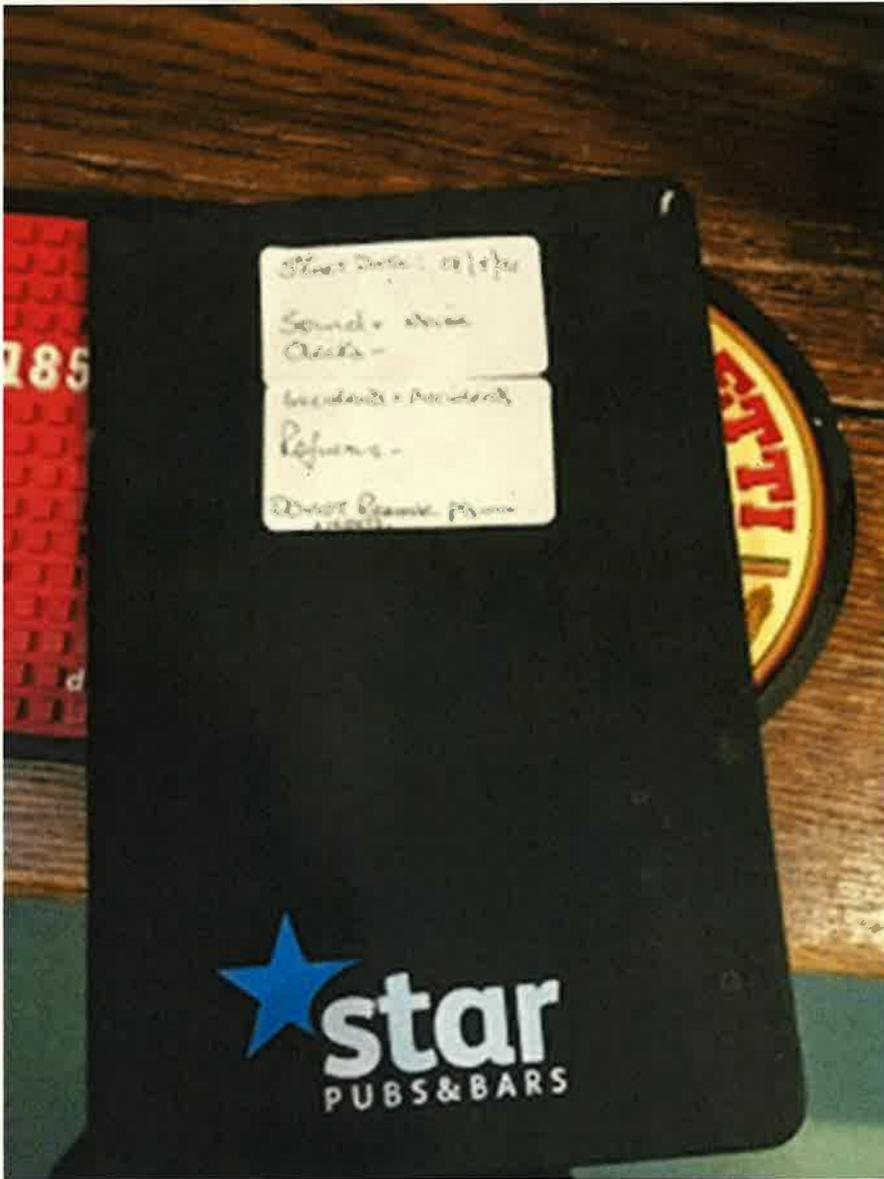
Tue 18th May 2021.

Security - A/O -

Noise & Loud Clack. Handly from 3pm close -
No action req.

Referrals: None

Accidents & Incidents: None - 
Manning



Sound checks, Incidents, Accidents, Refusals.

INCIDENT INSPECTION REPORT

DATE: _____

TIME: _____

LOCATION: _____

REPORTING OFFICER: _____

WITNESSES: _____

DESCRIPTION OF INCIDENT: _____

CAUSE: _____

RECOMMENDATIONS: _____

1st Floor

1st Floor

2nd Floor

3rd Floor

4th Floor

5th Floor

6th Floor

7th Floor

8th Floor

9th Floor

10th Floor

11th Floor

12th Floor

13th Floor

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88th Floor

89th Floor

90th Floor

91st Floor

92nd Floor

93rd Floor

94th Floor

95th Floor

96th Floor

97th Floor

98th Floor

99th Floor

100th Floor

VISIT for licencing (contitions) etc.

Starting: Full licence inspection

Details to discuss AWP's. Policy Along with training programs for staff + management.

* Noise level checks to be carried out + Documented

* Training Records Staff on all Aspects of Hospitality Industry: Serving, Dealing people, Refusals, Fire checks licence conditions etc.

* Monitor Age not just drinks (Alcohol) but also Gaming Machines.

* CCTV to be kept 28-31 Days of Recording. and to be Accessible to local Authority Police etc.

* Incident + Accident book to be signed and (if Applicable) Sign, date, name, and brief note on what occurred

* Chadotte to send temp-plates + ppo posters - Sound checks - training implementation

All This to start and be in place from 31st Jan 2019

MUSIC HOME BOOK

Summary of Responsibilities

1 Designated Premises Supervisor (DPS)

- Under the Licensing Act 2003 it is a mandatory condition that where a premises licence authorises the sale of alcohol there must be a Designated Premises Supervisor (DPS) and that no sale of alcohol may be made at a time when there is no DPS in respect of the licence.
- The only exception is for premises that are or form part of a church hall, chapel hall or other similar buildings, or a village hall, parish hall or community hall or other similar building. In order for the exception to apply the applicant must successfully apply to disapply the usual mandatory conditions.
- The DPS must be a personal licence holder. This ensures that where alcohol is sold, there is a person at the premises who has a relevant qualification and therefore an understanding of the social issues and potential problems linked with the sale of alcohol.

Security Book.
Sign In -
Kater Time
Bridge Number -

Date	Brief Description of Training Carried Out	Name of Staff	Signature of Staff Receiving Training	Name & Position of Person Providing Training	Date Refresher Training due
7.2.19	Fire Escape Procedures	John Dell	[Signature]	John Kirby - Manager	7-8-19
		Laura Chase	[Signature]	John Kirby - Manager	6/19
		Nina Bandwasa	[Signature]	John Kirby -	
12.2.19	licence to Sell Alcohol	Laura claria John O'Neil	[Signature]	John Kirby - Manager	(12.2.19)
12.2.19	Drugs policies	Laura claria John O'Neil	[Signature]	John Kirby - Manager	(12.2.19)
12.2.19	Michelle Woods	Michelle Woods	[Signature]	John Kirby - Manager	(12.2.19) (12.5.19)
12.2.19	Drugs policies + licence to sell Fire escape procedures	Justina Grodzka	[Signature]	John Kirby - Manager	(12.2.19) (12.5.19)
5/5/19	Louise White Drugs Policies, licence to Sell Alcohol Fire Procedures	Louise White		John Kirby - Manager	5/19

2019



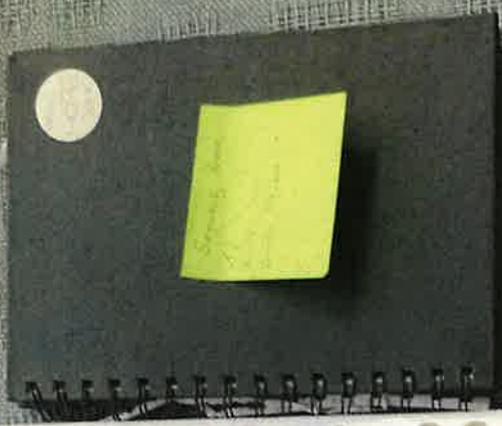
Widdington Recycling Ltd
The Sand Pit, Hollow Road,
Widdington, Essex CB11 3SL
Tel: 01799 540022
www.widdingtonrecycling.co.uk

Handwritten notes on a yellow sticky note.

Summary of the provisions

- 1. Described person is a business (DPS)
- 2. Under the CDDA 2006, a director is liable for a company's debts if the company is insolvent. In such circumstances, the director is liable for the company's debts if the company is insolvent. This means that the director is liable for the company's debts if the company is insolvent. This means that the director is liable for the company's debts if the company is insolvent.
- 3. There can be any number of persons, whether individuals, companies or partnerships, who are directors of a company. This means that the director is liable for the company's debts if the company is insolvent.
- 4. The CDDA 2006 has a number of provisions which apply to directors. This means that the director is liable for the company's debts if the company is insolvent.
- 5. The CDDA 2006 has a number of provisions which apply to directors. This means that the director is liable for the company's debts if the company is insolvent.

Handwritten notes on a yellow sticky note.



Sat 14th Dec 2014

Security 1

Name: John O'Dell

Badge num: 1017430816403190

Time

In	out
9:00	

Security 2

Name: LAWRENCE BROWN

Badge num: 107529753503828

Time

In	out
21:00	02:00

Refusals: None -

Accidents + Incidents: None -

Sound checks: 10pm / 11pm / 2am



Manager

Friday 12th 2014

NAME: John O'Pell

Sign in: 9:00

badge num: 1017430816483198

Sign out: 1:30

NAME: Alex Johnson

Sign in: 9:00

badge num: 1019882605045196

Sign out: 1:30

Accidents + incidents: None

Sound checks: 9:30/10:30/11:30/12:00/1:30

Refusals: None

(P)

Sat 13th 2014

Name: John O'Pell

Sign in: 9:00

badge num: 1017430816483198

Sign out: 1:30

Name: Alex Johnson

Sign in: 9:00

badge num: 1019882603045196

Sign out: 1:30

accidents + incidents/ none

Refusals/ none

Sound checks/ 9:30/10:30/11:30

Refusals (inc) 12:30/1:00/1:30

All ok

(P)

0

DOOR Supervisory

5th April 2019.

Name: John J. Dell

Sign in: ~~10:00~~ 9:00

Badge no. ~~1017~~ 1017 4308 / 6483100

Sign out: 1:30



Name: Alex J.

Sign in 9:00

Sign out 03:4:30

Badge No. 1019 8826 0304 5196

Incidants: none

Accidents: none



Sound Checks: 9:30 / 11:30 / 12:00
1:30

2019

Staff

Refusers:

Accidents + Incidents
and Any local Authority
visits to Council + Police.



Widdington Recycling Ltd

The Sand Pit, Hollow Road,
Widdington, Essex CB11 3SL

Tel: 01799 540022

www.widdingtonrecycling.co.uk

Handwritten notes on a yellow sticky note, partially obscured by the notebook. The text is mostly illegible but appears to contain a list or schedule.

4 March *Staff Fri 13th Sep

Accidents + incidents - none

Refusals - none

Sound checks - 100% from 10 positions

✓ (circled) W

*Staff Mon Sep

Accidents + incidents - none

Refusals - none

Sound checks - 100% from 10 positions

✓ (circled) W

*Staff 20th Sep 5 March

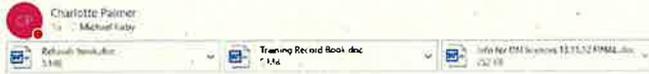
Accidents + incidents - none

Refusals -

Sound checks 100% from 10 positions

(circled) W

Hop Poles Public House



From: Charlotte Palmer
Sent: 08 June 2021 16:40
To: Michael Kirby <[REDACTED]>
Subject: Hop Poles Public House

Dear Mr Kirby,

Thank you for the photos you sent me on 25th May 2021. Having looked at them it appears the documents do not go beyond 2019. I appreciate that the premises will have been closed on and off as the Covid Regulations changed but each time the premises did open you should have continued keeping these records. I am aware that officers have visited your premises several times since 2019 to carry out Covid inspections, licence inspections etc and these should all have been documented in the incident book. Staff training should have been carried out every six months in line with the conditions below will full training being provided to any new staff.

Please ensure that the required training has been carried out with all staff and send me further photos showing when the training was done.

Please also send me evidence that both a current refusals book and incident book are in place ready to use in line with your licence conditions as set out below.

If you are providing regulated entertainment and therefore employing door staff please send the door supervisor records to me also.

2. Full training shall be provided to all staff on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals - at least every 6 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities.

3. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and Trading Standards at all times whilst the premises are open. Records shall be kept at the premises for at least 12 months.

4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder

- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any visit by a relevant authority or emergency service

7. Where SIA registered door supervisors are used at the premises, a record must be kept of their name, SIA registration number and the dates and times when they are on duty. Records shall be kept at the premises for at least 12 months.

Training material and a refusals book are attached for you print and use.

Kind Regards

Charlotte Palmer
Senior Licensing Enforcement Officer
Environment & Operational Services
Place Directorate, Enfield Council
Silver Street, Enfield, EN1 3ES

E: Charlotte.palmer@enfield.gov.uk
T: 0208 132 2004

Website: www.enfield.gov.uk
Protect the Environment – Think Before You Print.

 HM Government

 NHS



We can help control the virus if we all STAY ALERT

-  Stay at home as much as possible
-  Work from home if you can
-  Limit contact with other people
-  Keep your distance if you go out (2 metres apart where possible)
-  Wash your hands regularly

 And if you or anyone in your household has symptoms, you all need to self-isolate.

STAY ALERT • CONTROL THE VIRUS • SAVE LIVES

"Enfield Council is committed to serving the whole Borough fairly, delivering excellent services and building strong communities".

Start Date: 12/5/21

Sound + noise
Checks -

Incidents + Accidents

Refusals -

Reminders on the Bar -

DO NOT Remove Pts -

Inside Base Area

Mon: 11th May 2011

No Casualty Reported as no Entrenchment
on Hill 21st June 2011.

News - South Korea

Base 300 killed over 11m (handy) - (P)
No action: Manager

Refuels: None

Accident & Incident: None - (P)
Manager

Fri 13th May 2011

Survival: N/A

News - South Korea. Handly from 300 - 11m -
no action

Refuels: None

Accident & Incident: None - (P)
Manager

Monday 7th June 2001 -

Security - N/A -

Noise + Sound checks - Heady - from 8pm - close
Vms -

Incidents + Accidents - None

Refusals - None

Ⓟ
M...
7.0.01

Tue 8th June 2001 -

Security - N/A -

Noise + Sound checks - Heady from 8pm - close -

Incidents + Accidents -

Refusals -

Representations Opposing the Review Application

SUP1 Representation

I have been informed by the landlord John Kirby to write a personal statement in relation to the recent application from your council.

In relation to the Hop poles public house I can confirm that it is a centre of the community of Enfield. Throughout the pandemic I am aware that the pub has been aiding the ambulance service in training dhl crews. It is currently aiding the local Carlton house surgery in offering parking for the vaccine process. The space would of been vital to the pub to expand revenue.

In the time in between lockdowns it's covid security was second to non compared to other public houses. In the recent restrictions times.

In the approx 5 years I have been a regular patron of the pub. I have not seen any criminal activity . It pub pre and current pandemic times is a community pub made up of regular locals. Made up of a community of the elderly , the vunrable as well as general public.

It's has run several charity functions pre pandemic.

John is a friendly and approachable landlord and his staff are a credit to this. On more then one occasion when young people from school have been mugged or attacked it has acted as a safe space. When a local aggressive male from sheltered housing entered the pub and became violent John defused the situation so no harm was made to the pubs patrons or the male in question.

SUP2 Representation

I've recently seen a notice from the council regarding the intention to discontinue the licence to the hop poles landlord.

I have been living in Enfield for over 20 years and can indeed remember the hop poles prior to the current landlord taking over. It wasn't the most desirable pub in Enfield as records would I'm sure show. There was constant trouble and disruption to the neighbourhood for many years .

Since John the current landlord took over this pub has completely transformed the neighbourhood and has become one of Enfield top pubs. Good people, good entertainment and a terrific atmosphere. A very welcoming pub to all where the staff and management are among the finest in town.

It would be an absolute shame to revoke his license as he has put so much hard work and effort into maki g this pub an integrate if the local area.

If this letter/email would assist in anyway with pleading John's case I would be very

grateful!

SUP3 Representation

**Flint
Bishop**
SOLICITORS

Our Ref: AX/ NJR/ Hop Poles London
Email: andrew.cochrane@flintbishop.co.uk

Licensing Team
London Borough of Enfield Council
Civic Centre
Silver Street
Enfield
EN1 3XH

CONTACT
ANDREW COCHRANE

FAX NUMBER
08701918678

DIRECT DIAL
01332 226142

By email only on licensing@enfield.gov.uk

16 June 2021

Dear Sirs

Hop Poles public house, 320 Baker Street, Enfield EN1 3LH

We refer to the application for review which has been brought in respect of the above premises.

We act on behalf of Star Pubs & Bars Limited who are the “brewery” behind the Hop Poles. They are of course not the Premises Licence holder and nor are they responsible for the day to day management of the premises which is handled by the Premises Licence Holder and DPS.

We understand that the Premises Licence Holder and DPS will be separately represented in connection with this matter and doubtless will make their own submissions at the forthcoming review hearing.

Our understanding is that there have been incidents where people have been allowed inside the premises and have smoked inside the premises. We understand there may be mitigation for this and doubtless that will be advanced to the committee by the representative for the Premises Licence Holder and DPS at the hearing. Our clients clearly cannot and would not condone any breaches of legislation.

We understand however that the remedy sought is revocation of the



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Flint Bishop LLP

St. Michael's Court
St. Michael's Lane
Derby DE1 3HQ

Fax: 01332 207 601
DX: 729320 Derby 24

flintbishop.co.uk

Premises Licence and we have to say that our clients find that to be draconian.

Our clients are not aware of any concerns around the operation of the premises prior to them being raised in this review, indeed a major variation was granted in 2019.

The last year has been one of extraordinary stress for the hospitality industry as a whole and whilst our clients cannot condone any breaches of legislation we hope that the context of the last year will act as some mitigation.

Our clients have not themselves experienced any difficulties with this tenant.

Our view is that there are other remedies available to the committee for example requiring the DPS to undertake further training (for example a Level 2 Award for Designated Premises Supervisors).

If the committee having heard all the evidence were so minded they could of course order the removal of the DPS.

We do however consider that outright revocation of the licence would be excessive. There are other steps which could promote the licensing objectives in this particular case.

We look forward to hearing from you with a date and time of the hearing.

Yours faithfully

A handwritten signature in black ink that reads "Flint Bishop." The signature is written in a cursive style. The word "Flint" is written above "Bishop", and there is a horizontal line underlining the word "Flint".

Flint Bishop LLP

Annex 5

Conditions Arising from the Application

Annex 1 - Mandatory Conditions

The Mandatory Conditions are attached and form part of the Operating Schedule of your licence/certificate. You must ensure that the operation of the licensed premises complies with the attached Mandatory Conditions as well as the Conditions in Annex 2 and Annex 3 (if applicable). Failure to do this can lead to prosecution or review of the licence.

Annex 2 - Conditions consistent with the Operating Schedule

1. 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.
2. Full training shall be provided to all staff on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals - at least every 6 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities.
3. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and Trading Standards at all times whilst the premises are open. Records shall be kept at the premises for at least 12 months.
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system or searching equipment or scanning equipment
 - (f) any visit by a relevant authority or emergency service
5. A minimum of two SIA registered door supervisors shall be employed on the premises on Friday and Saturday from 21:00 until the premises has closed whenever regulated entertainment is taking place. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance. Door supervisors shall be easily identifiable by either wearing reflective jackets or reflective armbands.

6. At least one door supervisor shall remain directly outside the premises for 30 minutes after the premises have closed to ensure the safe and quiet dispersal of patrons.

7. Where SIA registered door supervisors are used at the premises, a record must be kept of their name, SIA registration number and the dates and times when they are on duty. Records shall be kept at the premises for at least 12 months.

8. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Signs will be prominently displayed advising customers that they are being filmed on CCTV. The system will cover all entry and exit points, all of the licensed area and any external seating area. All recordings shall be stored for a minimum period of 28 days with date and time stamping. Viewing of recordings shall be made available upon the request of Police or authorised officer throughout the entire 28-day period.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV or data with the absolute minimum of delay when requested.

10. All external doors and windows shall be kept closed when regulated entertainment is taking place inside the premises, except in the event of an emergency and to permit access and egress.

11. When regulated entertainment is taking place, hourly boundary noise checks shall be conducted. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down. Records detailing the sound checks and any required action shall be maintained and retained on the premises for at least 12 months.

12. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers to respect the needs of local residents and leave the premises and area quietly.

13. The rear beer garden shall be closed at 23:00. An external area may be designated for the use of smokers from 23:00 until closing time. No alcoholic drinks or glass containers shall be permitted to be taken into the designated smoking area during this time. The designated area shall be adequately supervised so as not to cause a nuisance. Notices shall be displayed in the area requiring patrons to respect the needs of local residents and to use the area quietly.

14. Customers shall not be permitted to remove from the premises any drinks supplied by the premises in open containers unless to an external drinking area set aside for consumption.

15. Children under the age of 18 years must be accompanied by an adult over the age of 18 years at all times whilst on the premises and must be off

the premises by 23:00 hours, unless attending a pre-booked private function.

16. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) 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 they can be read by those leaving the premises.

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

17. On Friday and Saturday nights the last entry time shall be one hour before closing time, the only exception being for those customers who have gone to the designated smoking area to smoke.

18. The Local Authority or similar proof of age scheme shall be operated at the premises and relevant material shall be displayed at the premises.

19. The premises licence holder shall inform the Licensing Team, in writing, of their intention to use their extended hours, at least 7 days before any such event.

CONDITIONS PROPOSED BY LICENSING AUTHORITY IF LICENCE NOT REVOKED, NOT AGREED BY LICENCE HOLDER:

20. Curtains or other forms of window coverings shall not be used to block sight access into the premises.