

**EXEMPT MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 29 JUNE 2010**

Councillors Browne, Demirci and Jenks

<p><b>SLSC07.</b></p>	<p><b>EXCLUSION OF PRESS AND PUBLIC</b></p> <p><b>RESOLVED</b></p> <p>That the press and public be excluded from proceedings under Categories 1 and 2 of exempt information as defined in Section 100a of the Local Government Act 1972, namely information relating to any individual and information which is likely to reveal the identity of an individual.</p>	
<p><b>SLSC08.</b></p>	<p><b>EKUBANZ, 651 HIGH ROAD, LONDON, N17 (NORTHUMBERLAND PARK WARD)</b></p> <p>Gillian Crew, representing the Metropolitan Police, reported that the application for a review was being brought by the police following the closure notice, mainly on the grounds of crime and disorder. Ms Crew noted the opening hours of the premises, which operated both as a restaurant and a nightclub, and reported that approved door supervisors were a condition of the existing licence. It was reported that the premises had been a centre for gang-related activity, and that firearms had both been carried and discharged inside and outside the premises. It was reported that conditions relating to door supervisors and trading hours were not being adhered to.</p> <p>Ms Crew called Inspector Hembury as a witness in respect of the serving of the closure order on 12 June 2010. Inspector Hembury confirmed the statement submitted as part of the report pack and summarised the concerns which had led to the serving of the closure order. Inspector Hembury reported that there had been an accumulation of incidents, and that the police were aware of an event planned for 12 June 2010 and had information relating to one particular DJ who was due to attend. Inspector Hembury indicated that he had contacted Mr Ekuban on several previous occasions regarding concerns relating to violence at events publicised at the premises, which had led to these events being cancelled voluntarily.</p> <p>Mr Ekuban questioned Inspector Hembury regarding the intelligence held on a particular DJ, and asked why the police had not advised him of their concerns when he had previously performed at the premises. Inspector Hembury reported that the police had not been aware of the individual in question on previous occasions.</p> <p>Ms Crew called DCI Shanks as a witness, and DCI Shanks confirmed the content of his submitted statement. In</p>	

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response to the statement of DCI Shanks, Mr Ekuban denied that he had willingly made a statement that he was aware of firearms being carried on the premises but had not reported this.

Ms Crew called Detective Perry as a witness. Detective Perry confirmed that he had been involved in a search of the premises on 25 May 2010 and investigating an incident on 5 April 2010. Detective Perry confirmed that the search had taken place as a result of intelligence received regarding the doormen at the premises being unlicensed and of a number of incidents involving firearms. Mr Ekuban claimed that he was unaware of the concerns raised in respect of the principal doorman at the premises, and asked why this had not been brought to his attention sooner by the police, in response to which Ms Crew advised Mr Ekuban that as licence holder it was his responsibility to ensure that he was complying with the requirements of the licence.

The Committee were shown a recording of CCTV footage from outside the premises on the night of 5 April 2010, when firearms had been discharged. The Committee was asked to note that patrons were still exiting the premises at 4.20am, and that some persons were able to re-enter the club after that time. The Committee was also shown a large number of patrons leaving the premises in a hurry, as the result of a disturbance inside the premises.

Mr Ekuban and Ms Coleman addressed the Committee. Ms Coleman reported that the premises operated as restaurant and wine bar, and had been licensed since 2005. Restaurant customers had usually left by 2am, and there were no problems when the premises operated just as a restaurant. Ms Coleman advised that the premises was also hired out for parties, and that people came to these events between 2-4am; she reported that she was not always present for these late events. Ms Coleman reported that they were law-abiding people, but they did not necessarily know the people who hired the premises for events. Mr Ekuban reported that he would have acted on any concerns from the police regarding customers at the premises. When the police had raised concerns previously regarding some of the events booked, these had been cancelled voluntarily to avoid trouble.

Ms Coleman and Mr Ekuban reported that following the decision of the Magistrates on 14 June 2010, they had decided not to hire the premises out for events any more. Since the premises had been operating in this way, there had been no further problems. They reported that they were sorry for the problems that had arisen as a result of the

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private functions, none of which had been intended, and that they proposed to operate only as a restaurant from now on.

In response to questions from the police regarding previous incidents at the premises, Ms Coleman confirmed that these had all occurred in relation to hired events, and not when the restaurant was operating as a restaurant. It was reported that they were not always aware of incidents that occurred outside the premises. In response to a question regarding why the police were not called regarding a suspected firearms discharge on 5 May 2010, Mr Ekuban reported that he had heard a noise, but that no marks or shell had been found to indicate that a weapon had been discharged and that he had not seen a firearm anywhere. It was reported that CCTV footage had been supplied to the police for examination.

Ms Crew asked Mr Ekuban about the night of 25 May 2010, and why police had seen patrons on the premises at 4.30am, customers apparently using drugs openly and a purchase of alcohol being made after 4am. Mr Ekuban confirmed that the premises ceased trading at 4am, and that no alcohol would have been sold after this time. It was reported that security would ask anybody lighting up on the premises to stop, and the music would also be stopped until this had been complied with. Mr Ekuban confirmed that it took some time for all the customers to leave once the premises closed at 4am, and that customers would still be coming through from the back and waiting for taxis. Mr Ekuban reported that his own internal footage would show door supervisors doing their job. In response to a question from the police regarding how firearms got onto the premises, Mr Ekuban reported that he had never seen a firearm in the club and that, if he saw a door supervisor carry out a search he was not satisfied with, he would request that that person not work at the premises again. Mr Ekuban denied that he was not in control during hired events, and reported that he would always be present and monitoring the premises. Mr Ekuban confirmed that some of the hired events were publicised and open to members of the public.

In response to questions from the Committee, Mr Ekuban confirmed that he was aware that he should not have signed any statement if he did not agree with its contents, and that he was aware that the premises ought to be closed by the time specified on the license.

In response to a question from Tony Michael, Legal Officer, regarding why the police were seeking revocation and not modification of the licence, Ms Crew reported that this was because of concerns in relation to the licence holders

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	<p>themselves, who had lost control of the premises. It was reported that there had been no regulation in place at the premises, and there were concerns relating to every aspect of the premises' operation. It was noted that the concerns related to very serious crimes, and the police were concerned that if the licence were not revoked, this could lead to loss of life at the premises. It was noted that if the Committee were not to revoke the licence, they must be satisfied that there would be genuine change in the circumstances of how the premises was run.</p> <p>The Committee decided to allow summing up to take place in public and gave a specific warning to all parties that summing up should not include the disclosure of any information relating to an individual or information likely to reveal the identity of an individual.</p>	
<b>SLSC09.</b>	<p><b>RE-INCLUSION OF PUBLIC AND PRESS</b></p> <p><b>RESOLVED</b></p> <p>That the press and public be re-admitted for the remainder of the hearing.</p>	

Cllr Ali Demirci  
Chair