

Application for a New Premises Licence under the Licensing Act 2003 – Channel Lounge, 775 High Road, Tottenham, London N17 – 18 February 2022

The Licensing Sub Committee carefully considered the application for a new premises licence for Channel Lounge, 775 High Road, Tottenham, London N17. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack and the applicant's and objectors' written and oral representations.

Having considered the application and heard from the parties, the Committee decided to refuse the application for a new premises licence.

Reasons:

The Committee noted that the premises application had come before the Licensing Sub Committee on 18 November 2021 and was refused because the Committee was not confident that if the licence was granted the premises would be properly managed and the licensing objectives would be promoted by the applicant. On that occasion the main concerns related to the licence holder's misunderstanding of his responsibilities, issues regarding the plan/use of the lounge area and lack of compliance with the fire safety requirements. The Committee noted that in relation to the current application there was still a lack of clarity regarding whether a fire risk assessment had been properly carried out. This was still of concern because it was proposed that the lounge area of the premises linking the kitchen to the café, be accessed via a locked door with a PIN code. That would affect the means of escape in the event of a fire and there were therefore concerns whether the Public Safety licensing objective would be upheld.

A temporary event notice had been granted to the applicant for an event on 9 January 2022 until 4.00 a.m. There was a serious incident after the premises should have been closed, involving a stabbing and two people were seriously injured. The applicant presented a conflicting account of what happened that night which in not on all fours with the Police's account. It appears that the incident started within the premises and then carried on outside. Two people who were arrested were found hiding in the kitchen of the premises on the night of the incident, seeking to evade the Police. The applicant advised the Committee that the premises were closed at the time of the incident and that the applicant was unaware of the incident until the Police arrived, but the Committee were also informed that some people remained inside the premises after it closed and before the Police arrived in order to protect them from those outside, so that is a contradiction.

There was evidence of splattered blood at the premises suggesting that serious injuries were sustained within the premises. Whatever the truth, this was a very serious incident and very serious injuries were sustained. The Police were not called by the applicant or his staff because they hoped the problem would dissipate and when the Police arrived they encountered resistance.

Proper steps were not taken by the applicant to prevent crime and disorder or to promote public safety by calling the Police and rather than accept that, the applicant sought to distance himself from the incident by saying it was not related to the premises and that the arrested persons were not connected to the premises, despite being found in the kitchen when the premises were closed and the shutters were down.

Since the incident the applicant has been co-operating with the Police and he has ensured that staff training has been undertaken particularly regarding health and safety and CCTV. However the Police have no confidence that the applicant will uphold the licensing objectives.

The Committee must be satisfied that it can trust the applicant to uphold the licensing objectives and comply with any licensing conditions if it was to grant the premises licence. Given the seriousness of the incident on 9th January and the applicant's lack of acknowledgement of its seriousness and how it should have been dealt with, the Committee had no confidence in the applicant's ability to uphold the licensing objectives. The public safety and prevention of crime and disorder licensing objectives would be undermined if the licence were to be granted and the application was therefore refused.