

# **MINUTES OF MEETING Special Licensing Sub Committee HELD ON Thursday, 28th April, 2022, 10.00 am**

**PRESENT:** Cllrs Gina Adamou (Chair), Viv Ross & Reg Rice.

## **Officers**

Daliah Barrett (Licensing), Michelle Williams (Legal), and Philip Slawther (Clerk).

## **Applicants**

Mr Stuart Glen (Director)  
Mr Rhys Rose (Senior Licensing Manager)  
Gary Twining-Wright (Security)

## **Responsible authority representatives**

Maria Ahmed (Public Health)  
Marlene D'Aguilar (Public Health)  
Noshaba Shah (Licensing Authority)

## **Application for a New Premises Licence, The Cause - 15-19 Garman Road, Tottenham N17**

### **1. FILMING AT MEETINGS**

The Chair referred Members present to agenda item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein.

### **2. APOLOGIES FOR ABSENCE**

None.

### **3. URGENT BUSINESS**

None.

### **4. DECLARATIONS OF INTEREST**

None.

### **5. SUMMARY OF PROCEDURE**

None.

### **6. APPLICATION FOR A NEW PREMISES LICENCE AT THE CAUSE, 15-19 GARMAN ROAD, LONDON, N17**

**Application for a New Premises Licence, The Cause - 15-19 Garman Road, Tottenham N17.**

RECEIVED the application for a new premises licence as detailed on pages 9 to 290 of the agenda pack.

a. Licensing Officer's Introduction:

The licensing officer, Daliah Barrett, introduced the application for a new premises licence for a night club venue, referring to the documents in the agenda pack. The application sought the following: Supply of alcohol on the premises; plays; films; live music; regulated entertainment; and late night refreshment.

NOTED that the premises had operated as a night club/music venue in Ashley House previously but that a new premises was sought due to the original location being redeveloped. Representations had been received from the Licensing Authority, Public Health and Building Control. Planning confirmed that the site did not have Planning Permission to be used as a night club/music venue. The applicants were seeking 'meanwhile' planning usage to use the event as a night club for an interim period before the Garman Road site was redeveloped.

NOTED that the TENS applications referred to in the pack had been cancelled. The licensing officer also outlined those five representations had been received in favour of the application but only one was included in the agenda pack as the other four were not valid representations as they did not refer to the licensing objectives.

In response to a question, it was NOTED that the Police had submitted a letter stating that they had been in discussions with the applicants and, that following satisfactory reassurances received, that they did not have any representations to make at this time.

b. Representation from Noshaba Shah, Licensing Authority.

NOTED the representation from Noshaba Shah on behalf of the licensing authority, including that:

The applicants had accepted some of the conditions put forward by the licensing authority but had not accepted some of the other conditions put forward. The conditions that had not been accepted included the opening hours and the number of security staff present.

The licensing authority requested that there be a condition on the licence that required door supervisors be used to vet customers and maintain public order. The vetting process must include implementation of the proof of age policy. There shall be a minimum of six door supervisors on duty from opening hours until the venue was empty of patrons.

The Licensing Authority also requested that the licence be conditioned to ensure that the Premises Licence Holder shall ensure the following:

- Details for each door supervisor are entered into a register kept at the premises and which included, full name, SIA membership number, the time that

- supervisor started work and the time they finished work. That register should be available for inspection by the licensing authority or the police upon request.
- No re-entry after 9pm unless that person has gone through a metal detecting security arch and subjected to a physical search, at the discretion of door supervisors. The licensing authority was happy to waive this condition if detection wands were used.

The licensing authority requested that no licensable activity to take place until the site had undergone the necessary inspections by Haringey's Health and Safety officers and the London Fire Brigade.

The Licensing Authority requested that the opening hours be conditioned at 6pm to 2:30 AM on Friday and Saturday, 8pm to 12am on Sunday and 6pm to 11PM the following day on Bank Holidays.

In response to a question, it was NOTED that applicants had held a licence for a similar venue at a different site. That site was arguably closer to residential properties than Garman Road. The new site was required because the old site was undergoing redevelopment. In response, to a follow up, the licensing officer advised that the surrounding buildings were industrial rather than residential but that she was unable to comment on whether those industrial units would be in use at the same time as the venue's proposed opening hours.

The licensing officer agreed to share a written copy of these conditions with the Committee members. **(Action: Daliah).**

c. Representation from Maria Ahmed and Marlene D'Aguilar, Public Health.

NOTED the representation from Maria Ahmed and Marlene D'Aguilar on behalf of the public health, including that:

There was a lack of transparency in submitted plans about the fact that the site would be used as a night club type premises and that the floor plan submitted did not clearly show where licensable activity would take place on the site. Concerns were also raised about the sub-division of the site into a number of separate units to maximise the potential number of patrons. Public Health requested further clarity over: How many floors would the premises be? Where were the toilets? Would outside space be used as part of the venue?

Public Health made representation that the licence should not be granted until planning permission had been received, further details were provided about where licensable activities would take place and subject to necessary safety inspections by relevant authorities. Concerns were NOTED about disability access and a lack of fire doors in certain units within the floor plan.

Public Health advised the Committee that the premises was located in an area with a high level of alcohol specific hospital admissions and that it was also located in a ward with a high level of instances of domestic abuse.

In response to a request for clarification, the Committee NOTED that the applicants had agreed to all of the conditions set out by Public Health in their representation, including that the venue would not be open within two hours of Tottenham Hotspur F.C. match days. However, the applicants had not agreed to separate conditions put forward by Public Health in a further email exchange. Public Health agreed to circulate this email exchange of the conditions which had not been agreed by the applicant. **(Action: Maria Ahmed).**

In response to a question, the legal advisor to the Committee confirmed that licencing and planning applications were separate processes and could be determined separately. For clarity, it was stated that the Committee were able to grant a license to the premises without Planning Permission already being in place. However, the venue would not be able to operate until it had received the necessary Planning Permission.

#### d. Applicant's response to the representations

NOTED the representation of Mr Rhys Rose on behalf of D.A. Space Ltd. Mr Rose set out that the applicants had experience of running this type of premises and of doing so on a 'meanwhile' basis. The Committee was advised that the landlord of Garman Road had advised the applicants that he wanted them to get a licence before they could take on the building. Hence, they needed the licence in order to take possession and they would then apply for Planning permission.

The applicants advised that they were happy to accept 30 minutes drinking up time and that the 15 minutes referred to in the application may have been an error. The applicants also advised that they would like to provide late night refreshment as it was important to be able to provide food to patrons at a late night venue. However, the applicants acknowledged that they had not finalised exactly how and where the late night refreshment would be provided and so would be happy to get a revised licence for this at a later date, if the Committee so wished.

The applicants advised that they did not want to accept the reduced hours put forward by the licensing authority and by public health. The Committee was advised that the applicants had operated multiple events at Ashley House up to 6 am without any issues. The applicants also set out that as a night club, they would only be open on Friday, Saturday and Sunday nights and that they therefore had a small window in which to bring in revenue and to achieve their various outcomes that they wanted to, including raising funds for charity. The Committee was advised that a closing time of 2am would not work for the premises. Further concerns were also set out about the mass dispersal of patrons at closing time, if they shut at 2am, and the increased possibility of disorder as a result. The applicants advised that they had always used ID scanning when customers entered and so were happy to accept conditions around this.

The applicants advised the Committee that the Ashley House venue was closer to residential premises than the proposed venue at Garman Road and that they had experienced no problems with nuisance in the past. The applicants commented that they had a good relationship with the Police and that the police were on board with how they managed a premises, as evidenced by the fact that the police did not submit a representation to the application.

In response to a question, the applicants advised that they would be happy to restrict opening of the premises so that it was not open 2 hours either side of Spurs match days. Similarly, the premises were happy to accept the condition put forward around use of plastic glasses on match days.

In response to a question from Public Health about whether complaints had been received at Ashley House and how they were dealt with, the applicants advised that there had been a few isolated instances of people feeling unwell after taking drugs. In these instances, the person in question was taken to a dedicated room and looked after. There were medics on site who were trained to deal with these situations. In response to a major national case of people being spiked in nightclubs, the Committee was advised that the management of the premise took swift action to institute new processes and guidelines to protect staff and customers. The applicants also advised that that all of the security staff wore body cameras and that logs were kept. The licensing officer advised that there was an instance of a drug overdose in 2021 and that measures were put in place following this incident. The Police did not bring forward a review of the licence following this incident because they were satisfied with the additional measures that were put in place.

Officers sought clarification from the applicants around the use of the venue as a wedding space, as the layout was not conducive to this and they would also need a separate licence and, in response the applicants advised that the premises was intended to be a multi-use space and that they would like the flexibility to be able to use the venue for post-wedding events in future.

In response to a question, the applicants advised that no licensable activities would take place outside. Instead, it would be used as a smoking shelter and possibly also a canteen until 11pm. The outside space would be monitored by a member of security staff at all times. In relation to a follow up question, the applicants advised that the rear right corner of the site, as shown on the layout, would be used and that this area would be gated off and away from the surrounding properties.

The Committee raised concerns that Spurs held events almost every week and that these were not just limited to football matches. In response, the applicants advised that they only ran ticketed events and that they would not be advertising to the football crowd. In addition, they would only be open at weekends.

In relation to parking, the applicants advised that the events they put on were not the type people drove to and that they would also make it clear in their promotional materials that there was no parking on site and that patrons should use public transport.

The licensing officer advised the Committee that, in relation to the fetish events that the applicants had indicated that they would like to put on, Haringey had a no sex establishments policy. However, the Licensing Act made provision for one a month to take place, regardless of the local policy position.

11:33 the Committee retired to make decision.

## **DECISION**

The Licensing Sub Committee carefully considered the application for a new premises licence for The Cause 15-19 Garman Road, 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, section 182 Guidance, the report pack and the oral and written representations from Building Control, the Licensing Authority, Public Health and the applicant.

Having considered the application and heard from all the parties, the Committee decided to grant the application for a new premises licence with the conditions set out below.

### **Operating times:**

#### **Hours open to the public:**

Friday	1800 to 0615 hours
Saturday	0800 to 0615 hours
Sunday	0800 to 2315 hours

Bank holidays from 1800 hours the day preceding to 2300 the following day

#### **Supply of Alcohol**

Friday	1800 to 0530 hours
Saturday	0900 to 0530 hours
Sunday	0800 to 2230 hours

Bank holidays from 1800 hours the day preceding to 2300 the following day

#### **Supply of alcohol for consumption ON the premises**

Regulated Entertainment – plays

Friday	1800 to 0000 hours
Saturday	0800 to 0000
Sunday	0800 to 2300 hours

Regulated Entertainment – Films

Friday	1800 to 0400 hours
Saturday	0800 to 0400 hours
Sunday	0800 to 2300 hours

Regulated Entertainment – Live Music

Friday 1800 to 2300  
Saturday to Sunday 1000 to 2300 hours

Regulated Entertainment – Recorded Music, Performance of dance and anything similar

Friday 1800 to 0600 hours  
Saturday 0800 to 0600 hours  
Sunday 0800 to 2300 hours

Regulated entertainment - Bank holidays from 1800 the day preceding to 2300 hours the following day

### **Late night Refreshment**

**Friday to Saturday 2300 to 0500 hours**

### **Conditions**

No licensable activities shall take place at the premises until the works identified by Building Control and agreed by the applicant in response to the Building Control representation on this application have been completed to the satisfaction of the Council's Principal Building Surveyor or other authorised surveyor, at which time this condition shall be removed from the Licence by the Licensing Authority.

The number of persons accommodated at the premises (excluding staff) shall not exceed the number determined by the London Fire Brigade following their inspection.

The sanitary accommodation is to be improved to the satisfaction of the Council's Environmental Health Officer at which point an appropriate condition regarding capacity will replace this condition.

**CCTV** - The premises shall install and maintain a comprehensive CCTV system.

There shall be signs displayed in the customer area to advise that CCTV is in operation. Should the CCTV become non-functional this will be reported immediately to the Licensing Authority.

All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

A site plan should be available on request detailing the CCTV camera numbers and their fields of view.

The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.

All recordings shall be stored for a minimum period of 31 days with date and time stamping.

Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

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.

All customers entering the premises shall have their ID scanned on entry, save for when a biometric scanning system is in place. The details recorded shall include a live facial image capture of the customer and capture the photographic identification produced.

The details recorded by the ID scanner system shall be made available to the Police and the local authority upon request.

The DPS shall approve in writing the names of a maximum of three managers other than him/herself who are authorised to sign-in guests.

A legible record (the signing in sheet) of those guest's name shall be retained on the premises for inspection by the licensing authority and Police for a minimum period of 31 days. The name of the DPS approved manager authorising the admission will also be recorded by that manager,

Guests shall be required to produce some form of ID such as a bank card (or emailed electronic photo ID) and ID scan entry with a live photo shall be created.

**Incidents** - An incident log shall be kept at the premises and maintained for a minimum period of 12 months, 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 concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:



- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

Promotional materials for events must make it clear that no parking is available in or around the premises and should discourage driving.

**SIA roles:**

There will be a minimum of 3 SIA registered security staff at the premise from Friday – Saturday from 20:00 to 30 minutes after closing, always having a female security staff during these times in order to assist with female patrons.

Security will be provided at a minimum ratio of 1:100, ongoing dynamic risk assessment of upcoming events will determine if this ratio needs an increase of security taking into account factors such as event history, ticket sales, and special information from authorities.

Details for each door supervisor to be entered into a register kept at the premises and which included, full name, SIA membership number, the time that supervisor started work and the time they finished work. That register should be available for inspection by the licensing authority or the police upon request.

No patrons shall be admitted or re-admitted to the premises after 21.00 hours unless they have passed through a metal detecting search arch or a detection wand has been used and, if the search arch is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search.

All persons entering or re-entering the premises shall be searched by a SIA licensed member of staff and monitored by the premises CCTV system.

All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

No person shall be allowed to enter or leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.

**Staff Training** – Appropriate induction and refresher training will be undertaken with all relevant staff to cover appropriate subjects for their role including:

- A. The responsible sale of alcohol.
- B. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.

C. The responsibility to refuse the sale of alcohol to any person who is drunk.

D. Fire safety & emergency evacuation procedures

Records of such training shall be maintained at the premises and made available to a Police officer or an authorised officer of the Licensing Authority upon request.

A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Haringey Council.

### **Prevention public nuisance**

A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:

(a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,

(b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,

(c) The limiter shall not be altered without prior written agreement from the Environmental Health Noise Officer,

(d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Noise Officer, and

(e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.

Music should be inaudible from the nearest noise sensitive premises.

No Flashing or particularly bright lights on or outside the premises shall cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.

Regular waste disposal is to be undertaken in accordance with the council's requirements. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours Monday to Sunday.

The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared, including

cigarette butts/packets etc, periodically throughout the premises opening hours and specifically at the end of trading hours.

A direct telephone number for the Licence Holder/DPS of the premises shall be publicly available at all times. The number is to be made available to residents and businesses in the vicinity. Any complaints shall be remedied within 48 hours and details to be recorded in the incident book including the action taken by the Licence Holder/DPS

Alcohol to be covered and secured outside of the hours of operation within the trading area.

Spirits to be behind the bar and therefore, must be handed over to the customer and allows for there to be more interaction with the seller and the customer.

High strength alcohol restriction: no spirits shall be sold with an ABV greater than sixty-five per-cent (65%), no super-strength beer, lagers or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.

### **Spurs match/event day considerations**

On Spurs large scale event and match days the Licence holder will:

- Refrain from selling alcohol until 11 am on Monday to Saturday and midday on Sunday, unless otherwise agreed with the police.
- Deter patrons from drinking outside the premises on the street to avoid the potential for opposing fans facing each other.
- For 4 hours before advertised start of the match or event and until 1 hour after the match or event finishes to only sell alcohol in plastic containers.
  - Ensure that events scheduled on match days or days of events at the Tottenham Hotspur Stadium are programmed so that the opening or closing time is not within 2 hours of the times when the match or event is taking place at the Tottenham hotspur stadium
- Not support the consumption of alcohol in glass containers on the public highway.

No external Food vans affiliated with an event is permitted to trade from the public highway without the authorisation of the Licensing Authority.

**Pedestrian Routes** - The pavement shall be kept clear for pedestrians and not be blocked by patrons. If at any time the capacity is reached at both the tables and bar, any new patrons will be turned away at the door rather than being invited to queue outside.

All doors and windows shall remain closed (not locked) during the provision of Regulated Entertainment except for the ingress/egress of persons and in the event of an emergency.

The premises shall devise and implement a robust dispersal policy to ensure that patrons leave the premises and vicinity as quietly and speedily as possible.

No music or drinking to be allowed in the smoking area.

Any granted Temporary Event Notices for this premises must carry all the conditions on the licence.

The premises shall prominently display signage informing customers: -

- a. To leave quietly and to respect your neighbours.
- b. Stating that CCTV is in operation and police have instant access to the footage.
- c. Any person found carrying weapons or illegal drugs will be permanently excluded and the

police will be informed.

No customers shall be allowed to leave the premises while carrying open drinking vessels ('open' shall be taken to mean an opening of the original manufacturers sealing of the vessel) or to consume alcohol on the public highway.

### **Public safety**

Fire Safety - A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:

- a. Heat / Smoke detectors are installed and maintained by a competent person.
- b. Fire detection and fire safety equipment checks are recorded.
- c. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
- d. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
- e. All emergency exits are marked on the premises plan.

First Aid - Adequate first aid boxes will be maintained.

The premises plan to be updated by minor variation to show positions of bars, performance areas, sanitary provisions, medical and welfare areas, improvements to escape routes, fire safety information and CCTV once the licence is granted and the plans have been completed.

A full premises operational risk assessment should be presented to Haringey Public Health team for approval before the premises opens to the general public.

A secondary heras fence (6 feet high) is to be set up across the rear access at least 3 meters from the perimeter fence of the premises to prevent passing in of prohibited items.

The street access to the rear is to be fenced off with pedestrian barrier when the premises are open to the public.

The rear area of the site is not to be used for general access and when the premises is open to the public must be monitored by a static member of the SIA team at all times.

## **Welfare**

Designated staff shall be trained in Mental Health First Aid.

Sufficient lighting is to be maintained throughout the site for safety and security, there are to be no unlit areas within the premises whilst occupied.

All staff training will include the "Ask for Angela" scheme and current WAVE training, logs of this training will be kept in the staff files. This will form part of the onboarding training and refreshers will be held every 6 months.

A dedicated member of staff will be employed for the specific role of welfare management at all music and drinking led events. They will be easily identifiable and their role will be solely to continually patrol the premises for the purpose of welfare checks. This member of staff must have completed the WAVE and "Ask for Angela" training and have a means of contacting security/management for instant assistance, such as a two way radio.

A medical treatment room will be provided on site with a full first aid kit and defibrillator.

A separate welfare area will be provided in addition to the medical room in line with WAVE guidance.

The premises must not be used as a sex entertainment venue.

Whilst fetish nights are taking place:

(a) There must be no nudity or exposing of genital areas.

(b) all parts of the premises to be covered by CCTV

(c) access must be restricted to over 18s only

(d) the licence holder must control advertising and touting of the event at the premises and in the locality

(e) facilities must be provided for performers for changing areas.

(f) there must be designated areas of the venue where the entertainment is permitted to

be provided, no private booths permitted. Appropriate supervision of the entertainment at all times.

(g) the licence holder must prevent contact between performers and customers, and between performers, and ensure no customer involvement with the entertainment

(h) A written code of conduct to be provided to the Licensing Authority.

(i) the licence holder must control the visual and physical impact of the venue and its

customers in the vicinity of the premises

### **Protection of children from harm.**

No children under the age of 18 shall permitted on the premises without an adult to supervise.

Age verification - A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Staff will be trained in, and fully aware of, the law relating to sales of alcohol to those under the age of 18.

### **Reasons**

The Committee noted that the applicants have successfully run a nightclub venue on a “meanwhile” basis at Ashley Road without significant issues and that planning permission had not yet been obtained because the applicant’s landlord wanted them to get a licence before they could take on the building.

Having noted that there are no residential premises close by, the Committee agreed to grant the hours requested, subject to a restriction on the opening of the premises on Spurs match and event days.

The applicant has agreed a range of conditions with the Police, who raised no objection to the application and with the Licensing Authority, Building Control and Public Health. The Committee has confidence that with the suite of conditions set out above, the four licensing objectives will be promoted and the application should therefore be granted.

### **Informative**

**The applicant must have received planning permission before the premises can be used for the licensed activities granted under this licence.**

CHAIR:

Signed by Chair .....

Date .....