

MINUTES OF THE LICENSING SUB COMMITTEE HELD ON MONDAY 8 AUGUST, 2022, 7:00PM – THURSDAY 13 OCTOBER 2022, 8:30PM

PRESENT:

Councillors: Sheila Peacock (Chair), Emine Ibrahim and Nick da Costa

1. FILMING AT MEETINGS

The Chair referred to the filming of meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

There were none.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. SUMMARY OF PROCEDURE

The Chair provided a summary of the procedure for the meeting.

6. APPLICATION FOR A NEW PREMISES LICENCE AT PRINCESS BANQUETING, 502-508 HIGH ROAD, LONDON, N17 (TOTTENHAM HALE)

Presentation by the Licensing Officer

Ms Daliah Barrett, Licensing Team Leader informed the Sub-Committee that:

- The Licensing Team had received three different applications for this premises in the last 10 months.
- The application was for regulated entertainment Monday-Sunday 11:00 to 03:00, late night refreshment Monday-Sunday 23:00 -03:00, supply of alcohol Monday-Sunday 11:00 to 03:00 on the premises and the hours the premises would be open to the public was Monday to Sunday 11:00 to 3:00.
- The venue known as Class Banqueting Suite has been operating at 502-508 High Road, N17. The premises was primarily used for wedding parties.
- The current occupants were subject of a prosecution for unlicensed activity.

- The Licencing Team felt that the multiple applications for the same premises, as well as the history of non-compliance exhibited by the applicant, were an attempt to get a licence for the premises under a different name.
- The landlord of the premises that the application pertained to was unaware of who the applicant was. This was due to the fact that the premises had been let, then sublet, then sublet again to the applicant.
- During the consultation period there was minimal contact between the applicant or the applicant's agent and the responsible authorities.
- The representations had asked for the application to be refused as it was unclear what role the applicant had in upholding and promoting the licensing objectives. Several issues outlined included the hours that had been applied for appeared excessive, issues around parking and potential adverse effects for the surrounding residents.
- After the consultation period was over the applicant had now engaged with the authority.
- Conditions set out in the application included, where over 300 guests were in attendance 4 SIA door staff would be present. the licence may accommodate four events per months for ticketed events. This indicated that the premises would be used for late events and gigs, as well as wedding parties.

At 7.20pm, the Sub-Committee noted that the applicant was no longer in the meeting.

The Legal advisor stated that the applicant was no longer in the meeting, advising that the meeting adjourn until 7.30pm. The Sub-Committee decided to adjourn for ten minutes while the applicant was sought. The meeting resumed at 7:30pm.

The Chair highlighted that the applicant could not be found. The Legal advisor recommended that that meeting be adjourned to a future date where the applicant could attend. The Sub-Committee decided to adjourn the meeting to a future date and reconvened at 7:00pm on 8 September 2022.

Upon reconvening the meeting, the Chair noted that Her Majesty, the Queen had very sadly passed away. The Mayor of Haringey, as the Civic head of the Council, would be providing communications on the protocols to be followed in this mourning period which would last 10 days. There would be details provided in the coming 24 hours on the how residents, councillors, partners, faith groups, community groups and businesses can put forward their condolences and pay their respects at this sad, poignant time.

The Sub-Committee paused momentarily to reflect and take in this news.

The Sub-Committee then adjourned the meeting to a future date and reconvened at 7:00pm on 13 October 2022.

Upon reconvening the meeting, Ms Noshaba Shah, Licensing Officer, informed the Sub-Committee that:

- Licensing had worked with the applicant since the hearing was last adjourned.
- There had been some changes to the application since the Sub-Committee had last reconvened.
- The applicant had bought the company Sofi and Co and therefore the lease for the premises.

- The initial operators (Mr Mandache and Ms Cotligut) were no longer involved with the premises and Mr Mandache had been subject to a prosecution for unlicensed activities held at the premises.
- Parkway Estates had accepted the applicant as the new leaseholder even though they had no part of the sub-lease.
- The Police and Licensing Authority were asking the Sub-Committee to determine the hours of operation if the application was to be granted.
- The applicant had also put forward a few revisions to the application.
- The operating hours for licensable activity would be 12:00 to 00:00 Sunday to Thursday.
- The applicant had also proposed a terminal hour of 02:00 Friday and Saturday with an additional 30 minutes for drinking up time each day. This had not been agreed by the Licensing Authority or the Police who had requested a terminal hour of 01:00 on Friday and Saturday with an additional half an hour for drinking up time.
- A condition had been submitted requesting that the applicant hold no more than four events per month for music, concerts or ticketed events and on these occasions the premises would have eight SIA door staff. This was no longer a condition being requested.
- The second floor of the premises would not be used by the public or hired out for events.
- The conditions proposed by the Police for the use of a CCTV, logbook and SIA staff had been agreed.
- The Police were happy to agree an increase of the number of people allowed in the smoking area, but not as much as 25 persons as the doorway was also a means of escape.
- Another condition proposed was that no licensing activities would take place at the premises until the items listed in the building control letter dated 7 of September 2022 had been carried out and assessed as satisfactory by a health and safety officer at which time this condition would be removed from the licence by the Licensing Authority.
- The main gate must be kept in an open position whilst the premises was in use.
- The applicant was encouraged to address the requirement for disabled access.
- Additional paperwork has been received from the applicant and one of the objectors.

At this point in the proceedings, the Chair asked for any objections regarding the circulation of the additional paperwork. As there are no objections raised, the paperwork was circulated to all parties at the meeting.

In response questions, Ms Shah informed the Sub-Committee that:

- The terminal hour for licensable activity requested by the applicant was 00:00 Sunday to Thursday (with a 00:30 closing time) and 02:00 on Friday and Saturday (with a 02:30 closing time).
- The number of SIA staff employed at the premises would be four.

Presentation by interested parties

PC Ewart informed the Sub-Committee that:

- The Police had provided two reports dated 15 July 2021 and 19 January 2022 where it had been stated that the applicant had not engaged with the local authority or the Police.
- There were concerns that the applicants had connections with the previous owner. It had been clarified that there was no link between the two parties.
- There were also concerns that the applicants did not have the necessary experience to run such a large capacity premises, but this had now been clarified.
- The CCTV condition put forward by the Police had been accepted, along with a condition regarding SIA staff.
- The proposed condition regarding smoking needed to be clarified.
- There was concern regarding the terminal hour on Friday and Saturday (02:00). This was because the premises had been linked to crime and disorder and violence during those particular later hours. It was up to the Sub-Committee to decide if this concern had been alleviated as a result of the licence being taken up by new applicants.

In response to questions, PC Ewart informed the Sub-Committee that:

- Compressing the hours of licensable activity could sometimes lead to binge drinking that could lead to intoxication and therefore violence.
- The Police proposed that the terminal hour be 23:30 (with the closing time of 00:00), as long as the premises was run properly and SIA staff were mindful of the issue, then it could be managed.
- It was difficult to decide if it was safer to have the premises open later into the night or to close earlier, but in his experience, it was usually the case that public nuisance was caused later into the night.

Presentation by the applicant

Mr James Rankin, representing the applicant and Mr Paphiti, the applicant, informed the Sub-Committee that:

- Most of the issues had already been agreed between all parties, there were still one or two matters to resolve.
- Generally, the proposed operating hours from Sunday to Thursday appeared to have been agreed with a terminal hour for licensable activity being 00:00, plus half an hour of drinking up time.

- The only remaining issue was the terminal hour for licensable activity on Friday and Saturday being 02:00 with half an hour drinking up time.
- It was anecdotally understood that the previous operators at the premises had used the premises which were promoted events including external DJs and for unlicensed activities including during the coronavirus lockdown.
- The applicant was looking to operate the premises differently. The applicant was looking to hold function based events such as weddings, christenings, bar mitzvahs and other family celebrations. Many of these events would be held for the Greek, Polish, Romanian and Albanian communities.
- It was not proposed to have an external promoter coming into the premises to hold an event.
- The terminal hour of 02:00 would prevent the applicant from using temporary event notices which may then have to be dealt with by the Sub-Committee.
- Family celebrations were not usually the cause of public disorder, this was more common with externally promoted events.
- A condition had been agreed where externally promoted DJ events would be specifically excluded from the licence.
- The applicant, Mr Paphiti, had 30 years of experience managing two premises, one in Palmers Green and the other one was located in a residential area which had a late licence. The applicant had held musical entertainment evenings where people came in, sat down, had a three course meal and listened to a singer. As and when the need would arise, the applicant would hold such an event at the premises.
- An email had been sent to Licensing whereby, in addition to the conditions proposed by the Police, an additional five conditions had been proposed. Firstly that alcohol may only be sold or supplied to those taking table meals and for consumption by such persons as an ancillary to that table meal. Secondly, no externally promoted DJ led events would be held at the premises (DJs could still be used at the premises, just not externally promoted events led by a DJ). Thirdly, number of patrons would be limited to 250 persons excluding staff. Fourthly, there would be a limited number of smokers using the smoking area. He would suggest that 25 persons could fit into the designated smoking area. A post with ropes would be used to corral smokers to the correct area and would be accompanied with appropriate signage. The use of the area would not block an exit in case of fire. A limitation of 20 smokers could be used in the area. There was no public access in the area to any residential accommodation. The applicant had run licensed premises for 30 years without objection. The applicant had appointed a different consultant that had been employed before Mr Simms had been appointed who had been unresponsive to the responsible authorities. Finally, the premises could not start operating until the premises had been inspected by a responsible authority officer so that the premises could operate from a public safety perspective.
- Licensing had put forward conditions on page 83 of the agenda papers, but he preferred the conditions that had been put forward by the Police as they were more comprehensive.
- A longer drinking up time could be considered by the Sub-Committee to allow for a slower dispersal.

In response to questions, Mr Rankin and Mr Paphiti, informed the Sub-Committee that:

- The events that were proposed to be held at the premises sometimes typically had periods where children or other members of the family would go home earlier and a smaller number of attendees sometimes stayed late as they saw it is their opportunity to meet family that they had not seen for a long time and have a lengthy discussion.
- They would request the 02:00 terminal hour to hold the events required.
- The various functions that the applicant had been in charge with were to do with live entertainment, recorded music, background music and music involving a DJ.
- The applicant felt that a slow, staggering dispersal policy worked the best and he never had issues running a licensed premises. He had, in fact, run three in total. His premises in Palmers Green catered for the Greek, Turkish, Romanian and Albanian communities where they had residents and DJs from abroad. He had never had any issues with the Police, Licensing or the patrons.
- The agenda papers contained a fire safety certificate which outlined all the protocol and stated that the fire officer was satisfied with the premises. In the event of a fire, the premises would have four SIA security staff. Two or three of them would be in the main entrance and premises staff would guide people towards the exit. That was another fire exit in the kitchen which led to the rear wall. Both fire exits would be used for all individuals in the premises. The fire officer was satisfied that the capacity of 250 patrons excluding staff should be attached to any conditions.
- On 4 September 2022, Mr Stegariu had bought Sofi and Co the previous occupier, Ms Cotligut, resigned as a director with Mr Stegariu as the new director. The Chain of ownership was Muscat (freeholders), Parkway Estate (head leaseholder) and Sofi and Co (under-lease) was represented by Mr Stegariu.
- If the Sub-Committee felt that 10% of the attendees using the smoking area was too high, then it could be reduced. The proposed number of smokers was to allow a cushion for the use of the smoking area if the smoking area was ever monitored.
- The applicant would ensure that premises staff would make sure the area was clean of debris.
- The applicant would simply providing a function room for the family oriented events. The caterers would be hired externally. Alternatively, phone numbers of external caterers could be provided for patrons using the function room.
- There was a CCTV camera trained directly to the smoking area. There would be a minimum of one SIA door staff who would be stationed on the and the smoking area was observable from that position 32 feet away. The area would be policed very well.
- The applicant would volunteer a condition whereby no glasses or containers should be removed from the premises to the outside area. This would discourage people from lingering in the smoking area.
- There were no residents overlooking the smoking area.

To summarise, Ms Shah stated that the conditions put forward by the applicant's representative had put forward a summary of works to be submitted and only ones that had been agreed by Building Control could be removed by Licensing Authority. The amendments to the hours regarding the terminal hour on Friday and Saturday was a decision for the Sub-Committee. All other conditions had been agreed.

To summarise, PC Ewart stated that he was encouraged the applicant's clarification and welcomed the fact that the applicant would be willing to put forward the policy regarding glass containers.

To summarise, Mr Rankin stated that the Sub-Committee had received all the points made at the meeting.

At 8:04pm, the Sub-Committee withdrew from the meeting to consider the application.

RESOLVED

The Licensing Sub Committee carefully considered the application for a new premises licence Princess Banqueting, 502-508 High Road, London, N17 (Tottenham Hale). 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, the additional papers submitted by the Applicant and the applicants and objectors written and oral representations.

Having considered the application and heard from all the parties, the Committee decided to grant the application for a new premises licence subject to the following conditions to promote the licensing objectives.

The Licence is granted as follows:

THE OPERATING HOURS

Sunday-Thursday- 12 mid-day- midnight (plus 30 mins for dispersal)

Friday and Saturday 12 mid-day- 1.30am (plus 30 mins for dispersal).

PROPOSED LICENSED AREA LAYOUT:

The second floor is no longer included : The 2nd floor is not be used by the public or hired out for events".

CONDITIONS

1. Intoxicating liquor may only be sold or supplied to those persons taking table meals and for consumption by such persons as an ancillary to that table meal.
2. There shall be no externally promoted DJ led events at the premises.
3. Numbers shall be restricted to 250 (excluding staff).
4. There shall be no more than 12 smokers in the smoking area.
5. The Smoking area must be cordoned off using a pole and rope system.
6. There shall be no drinking of any kind in the smokers area at any time and no containers or glasses for drinking.
7. The alleyway heading to the smokers area- must be clear of vehicles during operating times and the gates open.

8. The licence shall not be operative until the premises have been inspected by the responsible authority officer.
9. No speakers will be placed in any external areas of the premises.
10. Noise should not be audible outside of the venue to impact on nearby business and residential properties

LOCAL AUTHORITY CONDITIONS/POLICE CONDITIONS

2) A digital CCTV system recommended to be installed in the premises and complied with the following;

(a) Camera(s) must be sited to observe the entrance doors from both inside and outside.

(b) Camera(s) on the entrance must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.

(c) Camera(s) must be sited to cover all areas to which the public have access, excluding toilets if on site.

(d) Provide a linked record of the date, time of any image.

(e) Provide HD digital quality images in colour during opening times.

(f) Have a monitor to review images and recorded quality.

(g) Be regularly maintained to ensure continuous quality of image capture and retention.

(h) Member of staff trained in operating CCTV at venue during times open to the public.

(i) Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require.

3) An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to 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) 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.

4) On any occasion that regulated entertainment is provided the premises are to have a minimum of 4 SIA licensed operatives employed.

5) Smoking to only be permitted at the front of the premises. No more than 12 patrons to be permitted to smoke outside the front of the premises at any one time. The number of smokers to be supervised by a member of staff when an SIA is not in operation.

Public Safety matters outstanding: BC rep

Means of escape

1. Please provide a single Fire Plan, marked up showing the emergency lighting, fire alarm, call points and exit signage.

2. A Ground Floor plan has not been provided showing the escape route to the final place of safety.

3. Details of how the pavement site access gate is to be treated/signed, so that it cannot be locked whilst the premises is in use.

4. Given a proposed capacity of 250 persons, the first floor means of escape is unsatisfactory. A minimum of 2 independent exits are required, each of a minimum width of 1250mm, has not been shown.
5. Given a proposed capacity of 70 persons, the second floor means of escape is unsatisfactory. A minimum of 2 independent exits are required from this area, each of a minimum width of 850mm, has not been shown.
6. Please demonstrate that the travel distance from the furthest part of the kitchen, to the nearest exit does not exceed 18m.
7. The Exit door to the second floor event space opens in the wrong direction for escape.
8. Simple fastenings have not been indicated to be provided to all exit doors, nor their associated signage.

Fire Safety

9. Doors to Stair, Office, Kitchen and Stores not shown to be fire doors.
10. Details of fireproof rating of all furnishings has not been provided.
11. Details of floor coverings and underlays not shown to be compliant with British Standard BS5438-1989 and tested to BS 4790 or Class 0.
12. Details not provided to demonstrate that all fabrics, curtains, drapes and similar features in the entertainment areas are either be non-combustible or be of durably or inherently flame retardant fabric.

Services

13. Details not provided showing a minimum input of 12 litres per person per second of fresh air ventilation to all habitable parts, has been provided.
14. Heating provision details to be submitted.
15. No details indicating fire proof cabling for the electrical installation has been provided.

Accessibility

16. Provision for disabled access has not been provided.

Sanitary Provision

17. The minimum WC provisions have not been met;

The first floor of 250 persons;

2 Male WCs, 3 Urinals and 2 Wash Hand Basins

6 female WCs, 6 Wash Hand Basins and 6 Disposal units for sanitary dressings.

For the second floor of 70 persons;

2 Male WCs, 1 Urinals and 2 Wash Hand Basins

4 female WCs, 4 Wash Hand Basins and 4 Disposal units for sanitary dressings.

Proposed Works Condition:

No licensable activities shall take place at the premises until the items listed in the Building Control letter dated 7th September 2022 have been carried out and assessed as satisfactory by the officer for Health & Safety/Fire Safety at which time this condition shall be removed from the Licence by the licensing authority.

REASONS

The Committee gave serious consideration to the submissions by the applicant & their representative, and to the concerns raised by the objectors again both of which were made in writing and orally.

The Committee noted with satisfaction that the Applicant had properly engaged with the Licensing authority since the first adjourned hearing of this matter and that as a result the applicant had already agreed to most of the conditions proposed for the grant of the License and had voluntarily put forward some of its own.

The applicant has agreed to a works condition and the Police were now satisfied with most of the conditions agreed save 2 items namely around the terminal hour on Fridays and Saturdays and numbers of smokers in front of the premises.

The Committee noted the objections from the Police who were present at the meeting and in particular their concerns regarding the terminal closing hours and the potential for public safety issues arising therein on Fridays and Saturdays. It was noted that much of the disturbances can arise with later closing times. As a result it was felt appropriate to balance the request from the applicant for a terminal hour at 2am between the Police request at 1am. The Committee was of the view that a closing time of 1.30 and dispersal by 2am struck the right balance.

The further issue was the potential for large gatherings outside the premises for smoking. The request was for 25 people, whereas the Licensing authority had suggested 3. The Committee noted that it was a very small space; that 25 people out of the agreed capacity of 250 people was a large percentage; that it was also outside the main entrance which was to be used for emergency exits and that it was located at the end of a narrow alleyway. For these reasons the Committee was of the view that only 12 persons should be allowed in the smoking areas with further conditions as stated above.

With these conditions the Committee is of the view that an appropriate balance has been struck between the wishes of the applicant, the objections raised and the overriding licensing objectives with the conditions proposed.

7. NEW ITEMS OF URGENT BUSINESS

There were none.

CHAIR:

Signed by Chair

Date