

MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE HELD ON THURSDAY, 23RD JUNE 2022, 10:30AM – 12:15PM

PRESENT:

Councillors: Ajda Ovat (Chair), Sheila Peacock and Yvonne Say

1. FILMING AT MEETINGS

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

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

4. DECLARATIONS OF INTEREST

None were declared.

5. SUMMARY OF PROCEDURE

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

6. OBJECTION TO A TEMPORARY EVENT NOTICE FOR CLASIC RESTAURANT, 502-508 HIGH ROAD, TOTTENHAM HIGH ROAD, LONDON N17 (TOTTENHAM HALE)

The Licensing Officer informed the Sub-Committee that the Notice Giver had submitted an additional document and the Sub-Committee. All parties agreed to the document being submitted into the hearing. The Sub-Committee then decided to adjourn the meeting at 10:49am and reconvened at 10:55am. The Sub-Committee then adjourned again until 11:10am.

Presentation by the Licensing Officer

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

- The Notice Giver was seeking to offer regulated entertainment and the sale of alcohol from 20:00 to 03:30 on the night of 24 June 2022 for 300 people through the use of a temporary event notice (TEN).
- Representations had been submitted by the Police and the Noise team. These were on the basis of crime and disorder, public nuisance and public safety.
- The Notice Giver and her partner continued to use the premises for unauthorised licensable activity.
- The premise was located behind the McDonald's in Tottenham High Road. It was a large hall located on the first floor.
- The premises was originally a snooker hall that was now used as an entertainment venue.
- The premises had come to the attention of the Council and the Police due to the unauthorised activity taking place at the premises. These matters were subject to enforcement action and prosecution.
- At one event in February 2022, fighting had broken out and one attendee had received an injury to his face.
- The Council had sent a letter of intent to serve a closure order.
- The premises had no licence.

Presentation by objectors

Ms Jennifer Barrett, Noise Officer, informed the Sub-Committee that:

- The event to be held by the Notice Giver was supposed to be for 300 people until 03:00.
- The premises continued to operate without a licence despite being issued warnings.
- There were concerns regarding public nuisance and the premises had twice prevented officers from making routine late night inspections.
- There were concerns regarding simply being able to access the premises.
- There had been information regarding a breach of licence regulations for such as smoking indoors and the serving of alcohol without a licence or a temporary event notice in place.
- There were concerns regarding the dispersal of patrons at 03:00 for 300 people and the ability of premises staff to heed warnings regarding the compliance of licensing regulations.
- The Notice Giver had stated that there would be six SIA staff members but there was little information given as to what they would be doing.
- The premises had an area where there was gated access and this area had previously been locked to prevent entry of access of patrons, but it also stopped officers from being able to enter the premises and investigate complaints.

In response to questions, Ms Jennifer Barrett informed the Sub-Committee that:

- Cars would be parked in the alleyway even when the premises was occupied.
- No specific complaints had been received from residents. Most of the work that had been completed related to licensable activities occurring at the premises whereby there was no licence.
- Access to the premises had not been granted to officers by security staff.

In response to a question, Ms Daliah Barrett stated that complaints have been received from businesses which had been affected in the area, rather than residents. Those managing the premises, Mr Mandachi and Ms Cotlogut, were understood to be partners and business partners. Mr Mandachi had been in contact with Licensing regarding the use of the TEN.

PC Kayleigh Mitcham informed the Sub-Committee that:

- The Notice Giver had submitted a TEN for 24 June 2022 which had been objected to by the Police due to concerns regarding unlicensed activity at the premises and disruption businesses in the area.
- An incident had occurred at the premises whereby the Police had been called to another venue and was unable to gain access to the premises upon request. This denial of access hindered the investigation of a serious assault that had taken place.
- The Police have been made aware of two separate incidents that had taken place in the early hours of the morning of 23 June 2022 (early in the morning).
- Police had been called to the premises at 19:32 on 22 June 2022 regarding assault the victim had called the Police stating that he had been assaulted.
- The individual was conveyed to hospital by Police and the matter had since been closed. A second call was made by a female individual after she alleged that she had been assaulted inside the premises. This call came at around 00:00 on 23 June 2022 and the person did not wish to proceed further with the issue.
- It was clear from officers who arrived on the scene that there was a large amount of alcohol being consumed.
- Officers also stated that they were unable to receive an update regarding what had happened at the premises. With this in mind, the Police did not have confidence that the licensing objectives would be upheld if the event went ahead.

In response to a question, Ms Daliah Barrett stated that it was not clear which event it was whereby an unlicensed activity took place at the premises and it was not clear if alcohol had been sold or brought to the premises for the event.

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

- The Police attended the premises at the time of the incident.

- The first victim was taken to hospital and did not wish to make any formal allegations. The second victim wished to leave the premises and wanted to be taken to a safe place.
- There was a call made to Police at 19:32 in the evening on 22 June 2023 and a second call after 00:00 (on 23 June 2022).
- Police visited the premises twice to investigate two separate issues.

Presentation by the Notice Giver

Mr Fabien Simms, representing the Notice Giver and Ms Cornelia Cotlogut, the Notice Giver, informed the Sub-Committee that:

- The premises had a comprehensive dispersal policy.
- Measures were in place to facilitate people leaving in a staggered manner.
- The role of the SIA had been defined in order to make sure that SIA had were clear on how to adhere to the licensing objectives.
- His client would ensure that the dispersal policy would be followed as per the document that had been submitted.
- The SIA door supervisors had clear objectives to ensure that licensing objectives would be upheld.
- The event would be a community event and would host a singer from Romania. A three-course meal would be served. People would be drinking alcohol but waiting staff would be serving them, so the patrons would be seated. There would be a considerable amount of staff including six security staff and eight waiting staff. There would be five other staff members in the kitchen, two staff members at the entrance and two staff members at the bar.
- The premises had 16 working CCTV cameras. It was important at the event went ahead as the Notice Giver wanted to sell the business as she was no longer involved with her partner (Mr Mandachi). She wanted to sell the business and return to Romania. She also had a small child and was also 21 weeks pregnant. Her former partner (Mr Mandachi) had not left her in a favourable position and she wanted to move on with her life.
- The Notice Giver simply wanted the business to appear to be viable so that she could pass the premises on and raise her children.
- The Notice Giver had applied for a full-time premises licence and as soon as the licence was issued, it would be transferred to whomever brought the premises.
- There was a potential buyer for the premises, but the sale was dependent on a licence being issued.
- The buyer had applied for personal licence.
- The Notice Giver had been put into a difficult situation, whereby her former partner had run the business previously, but had left the premises.

In response to questions, Mr Simms and Ms Cotlogut informed the Sub-Committee that:

- SIA staff wore high visibility jackets and would have to wear a uniform. Their SIA badges would be on display to provide members of the public reassurance.
- SIA staff would be well versed on the dispersal methods and premises staff would monitor patrons. Those using the smoking area would be monitored by staff but dealing with patrons directly would be done by SIA staff.
- The premises usually had 1 SIA staff member for 100 people. For this event, a maximum of 200- 300 patrons would be expected.
- The wind down time related to music being decreased over the period of 60 minutes. Once patrons headed towards the exit, the SIA staff would reiterate statements regarding leaving the premises in a quiet and respectful manner.
- Mr Simms' involvement with the Notice Giver was very recent.
- When the SIA staff would arrive at the premises, they would know how the event would run as per the dispersal policy. The Notice Giver would oversee the proceedings and ensure that the operations would be well executed.
- If patrons were taking taxis, once a taxi driver arrived on site, they would be presented to collect their customers from the next safest location. This would be a bit further up the High Street.
- The nearest alleyway was a nearby supermarket. This would be the nearest available safe location.

At this point in the proceedings, Ms Daliah Barrett stated that the document submitted by the Notice Giver appeared to have been drafted in generic terms and also mentioned snooker tables which the premises did not have. The submitted document appeared to be an overwrite from a previous document. The Notice Giver had submitted two applications for a full premises licence, the first having been attempted late last year in 2021. Under that application, the Notice Giver had sent an email through her agent advising that she had to release Mr Mandachi from his duties at the premises. This turned out not to be the case and the application was later withdrawn. A second application had since been submitted. Another application for the same premises had also been submitted by a different applicant, Mr Stegariu, who had submitted a document showing that he had signed a lease on the premises. The Notice Giver and Mr Mandachi were contacted and Mr Mandachi had responded to say he still owned the business. Additionally, Mr Stegariu's application was still in progress.

In response to further questions, Mr Simms and Ms Cotlogut informed the Sub-Committee that:

- Tickets had been sold online. If the temporary event could not be held, then the tickets would be refunded.
- The purpose of the event and the application of the premises licence was to transfer the licence to Mr Stegariu once it had been approved.

- The smoking area was opposite to the main entrance. There would be 10 people allowed at any one time.
- Page 4 of the dispersal policy covered the use of the balcony and the window that opened to it.
- The dispersal policy would be amended so that no glassware would be permitted in the outside area.

In response to an earlier query PC Mitcham stated that for the first call Police received, they arrived at the premises at 19:42 on 22 June 2022 and for the second call received by the Police, they arrived at 00:43 on 23 June 2022. Police had also spoken to a member of security.

In response to further questions, Mr Simms and Ms Cotlogut informed the Sub-Committee that:

- The event held at the premises on 22 June 2022 was an evening wedding. There was no dancing or any music.
- Ms Cotlogut was at the premises until 19:00 and then left and come back later on.
- She was aware of the first call that had been made to the Police regarding somebody who had come into the premises without being invited. She was not aware of the second call made to the Police.

To summarise, Ms Jennifer Barrett had raised concerns regarding the ability of the DPS to address concerns regarding public nuisance and the use of the external area.

To summarise, Mr Simms and Ms Cotlogut stated that the dispersal policy had been put together to run the event in a safe manner and had detailed the points necessary for the SIA door staff to manage 200 - 300 patrons. There would be double the amount of required SIA supervisors for the number of patrons. If the event was allowed to go ahead, then the Notice Giver would attempt to get a premises licence and holding the event would allow the Notice Giver to move forward. If the temporary event did not go ahead, then tickets sold online would have to be refunded. An expense had been made for the singer to come in from Romania and if the event could not go ahead, the Notice Giver would have sustained a loss of several thousand pounds. It was important for the Notice Giver to prove that she was able to hold the event so that she could sell the business, move on with her life and raise her children. Her former partner was the main source of contention regarding the issues at the premises. Any action taken should not be reflected on the Notice Giver as she had been transparent and had made positive progress. She welcomed officers to visit the event to demonstrate the measures and improvements that had been put in place.

At 11:55pm, the Sub-Committee adjourned to consider the application.

RESOLVED

The Sub-Committee carefully considered the objection for a Temporary Event notice for Clasic Restaurant, 502-508 High Road, Tottenham High Road, London, N17. In considering the objection, the Sub-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 agenda papers and the Notice Giver's and objector's written and oral representations. Having considered the objection and heard from all the parties, the Sub-Committee decided that it was appropriate for the promotion of the licensing objectives for a counter notice to be served.

CHAIR: Cllr Ajda Ovat

Signed by Chair

Date23 June 2022.....