

# **MINUTES OF THE LICENSING SUB COMMITTEE HELD ON THURSDAY, 9 OCTOBER 2025, 7:00PM – 8:11PM**

**PRESENT:** Councillors Anna Abela (Chair), Sheila Peacock 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 no apologies.

## **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 REVIEW OF A PREMISES LICENCE AT MH CAFE, 715 SEVEN SISTERS ROAD, TOTTENHAM, LONDON, N15 5JT (SEVEN SISTERS**

### **Presentation by the Licensing Officer**

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

- The application had been submitted by an officer from the Noise and Nuisance team and related primarily to the objectives of the prevention of crime and disorder and prevention of public nuisance not being upheld at the premises.
- The application contended that the premises had led to public nuisance from large numbers of patrons congregating outside on the pavement and fights taking place along with noise nuisance.
- Section 1.3 of the report listed the timings on the current licence and the latest hours permitted on the premises.
- The latest hours were permitted on a Friday and a Saturday Night.
- The alcohol availability was for both on and off the premises only and alcohol had to be ancillary to a meal.

- The premises was originally granted a licence in October 2024. It was a fairly small premises internally, but there was also a rear garden area to which patrons had access.

### **Presentation by the review applicant**

Mr Craig Bellringer, Noise Officer, informed the Sub-Committee that:

- He had first become aware of the premises through an anonymous e-mail to the Council that a patron inside the property that was frequenting the premises had been assaulted.
- The Noise team and Licensing Enforcement made various visits past 01:00 – past the time that the premises should be closed including a half an hour drink up time.
- Officers attended on five occasions. Every single time that officers attended, they had witnessed the premises staying open past 01:00, with no food being offered. No CCTV was made available to officers. People could be seen dancing. The front shutters were usually pulled down, so the premises appeared closed whilst it was not.
- An SIA officer was present every time that officers had attended, but seemed to be present to control the entry of officers. A latch was put on the inside so officers could not open the door from the outside.
- The DPS was never present.
- A review application was submitted and officers attended the premises again on 21 September 2025 at around 01:00 and people were present drinking and dancing. No food was present with the drinks.
- There was a half hour drink up time, which was not adhered to.
- Patrons were in the premises with their tops off. Some were observed to be asleep through alcohol consumption.
- He did not believe that the DPS and the owners of the business were capable of upholding the licensing objectives and he would ask for the licence to be revoked.
- The premises was being used as late-night drinking establishment and would still be open past 01:00 if they had not been found breaching the licence.

In response to questions, Mr Bellringer informed the Sub-Committee that:

- On 8 June 2025, an SIA officer tried to deny entry into the premises and premises staff had apologised for the premises staying open. This behaviour was not consistent with a premises that upheld the licensing objectives.
- No CCTV footage had been supplied upon request from officers.
- On the 15 June 2025, the premises operated beyond its permitted hours, with about 30 to 40 people inside. The DPS claimed that this was a “private party”. There was no temporary event notice in place on the evening.
- By 15 June 2025, the licence holder had been warned and yet continued to trade as if the premises were a late-night bar.

- On 16 August 2025, the premises played music very loud, had intoxicated patrons - some asleep and one urinating outside. This was not typical behaviour of a restaurant serving alcohol ancillary to a meal.
- On 17 August 2025, the premises was found to have shutters down, disco lights on, 25 people inside and the rear garden was in use after 21:00. The DPS was not on the premises at the time, but every time officers attended, premises staff apologised before getting everyone out of the premises.
- The use of a metal latch to block entry from the outside raised concern about public safety and deliberate concealment. The issue was raised with premises staff.
- The DPS had not been observed on the premises anytime it had been visited.
- The premises was not capable of upholding the licensing objectives. After the application had been submitted, officers had found the premises again operating past permitted hours.
- On one occasion, there were three individuals found to be highly intoxicated and was one of the worst cases of drunkenness that he had observed at the premise. Vast amounts of alcohol were being served and it was not with a meal.
- People were attending the premises to drink and were not there to eat or to experience the atmosphere.
- Patrons ranged from 25 to 55 years of age. He had not seen someone there that appeared to be underage.
- The front door was the only entrance to the premises. There was a condition that the back area was to cease its use by 21:00. Patrons had been observed to be smoking and congregating in that area.

### **Presentation by the premises licence holder**

Ms Maria Ramirez, the licence holder, Mr Greg Lake, representing the licence holder and Mr Hadi Safai, the licence holder's partner, informed the Sub-Committee that:

- Things had gone the wrong way and there was an intention to undertake some kind of rehabilitation.
- They would offer a period of recovery after which they would become ready to take on the responsibility of being licence holders.
- The licence holder was a woman and was not happy to be out too late. She spoke Spanish and the majority of the customers were Spanish speaking.
- The licence holder's partner spoke English but not to a level to communicate confidently with the other patrons and did not wish to have an altercation with them.
- The licence holder's partner was of the opinion that, given time, they could improve their approach to managing the premises.
- The business was a livelihood matter and they did not wish to lose the option to trade.
- The licence holder's mother-in-law was in the hospital.
- The licence holder and her partner were married and were always together.
- In the last two to three months, the licence holder's mother was in the hospital and there had been difficulties running the premises smoothly.

- Premises staff did not allow underage or patrons under 21 to be served.
- Most of the patrons were between 25 to 55 years of age.
- If a patron appeared to have had enough to drink, they would not be served any more alcohol.
- Food was always on the table when alcohol was being consumed. It was just a case of bad luck that this had not been observed.
- Spanish people enjoyed night-time grilled food and this went together with drinks.
- The plates would then be collected and washed.
- When the Noise Officer arrived, he had commented on the lack of food and was informed that plates had been collected as they needed to be washed, because premises staff needed to be closed by 01:00.
- Once there was a fight in the street, but this had nothing to do with the premises. There had been a stabbing and the only time premises staff had used the back door was when Police were outside the premises around 00:30 to 01:00. The licence holder's partner went outside and said to the Police that he had customers inside the premises. He explained that he had 15 to 20 customers inside the premises. The licence holder's partner then explained that he would use the back guard back door as emergency exit. This was the only time it had been used.
- A new premises had been built in the area and 50 to 60 people could be observed drinking and it was those patrons who had made noise.
- The patrons to the premises would eat, drink and leave. Many patrons left in taxis and on public transport. No patron stayed in the area to drink or misbehave.

In response to questions, Ms Ramirez, Mr Lake and Mr Hadi Safai informed the Sub-Committee that:

- The week that the premises had been visited, licence holder's partner broke his phone and could not access the CCTV. The CCTV was now working.
- Smokers were not allowed to smoke inside the premises. One patron was smoking inside the premises and was told to put the cigarette out.
- There was a designated smoking area behind the garden.
- Security always by the door and whenever officers visited, they were let in. However, the shutter was closed around 00:00 as it was difficult to keep patrons out closer to closing time and also to keep out patrons from other premises.
- They were sorry about issues that may have occurred in the past, but the premises would not go one minute beyond the operating hours from now on.
- Officers had visited the premises on 17 August 2025 after having visited the day before. The premises on this day was closed and the music was not playing and the licence holder's partner was moving patrons out of the premises.
- On 8 June, 15 June, 16 August and 17 August 2025, patrons had consumed food and had put plates away before the premises had been visited each time.

The premises served a mixed grill which was very popular in the area and it was the main dish served with alcohol.

- Council officers were welcome to visit the premises at any time.
- On 8 June 2025, the premises had never received communication for a request for CCTV footage. Premises staff would be happy to receive and address any requests.
- The licence holder's partner had also not received any communication regarding this hearing. Correspondence had gone to Mr Lake.
- Remedial action to address any concerns had been sought by having gone through the licence requirements with licence holder's partner. Additional training had been offered and he had agreed to do the licensing course.

At this point in the proceedings, in response to a question, the Licensing Officer stated that the licence holder and DPS was Ms Ramirez. Therefore, correspondence regarding this hearing had gone to her. After notification of the hearing was delivered, a few days later, Mr Lake then sent an e-mail to Licensing advising that he would advocate for the licence holder. Mr Lake had informed that the licence holder had been out of the country because her mother had been ill In Colombia, however the Sub-Committee appeared to have been told that the licence holder was periodically visiting her mother. It was also notable that staff were locking the premises with people inside. This was detrimental for allowing a means of escape and also breached fire safety regulations.

In response to further questions, Ms Ramirez, Mr Lake and Mr Hadi Safai informed the Sub-Committee that:

- That the licence holder had been away for three months was completely provable.
- When the licence holder was in the country, she preferred to be close to her partner, but there had been a period of time when she had not been able to.
- It was possible to stick to the permitted hours rigidly and make people understand that rules were going to be enforced.
- Patrons who attended the premises were known to the staff and would have to cooperate and did so including leaving when they were asked to.
- The premises would close by 01:00.
- Regarding the three intoxicated men on 16 August 2025, they were not overly drunk, but one of the them was a distant family member, was a person of good character, but suffered from diabetes and blood pressure. This was why he took his shirt off. He was told to put his shirt back on and did so. He was then driven home. Another individual was 65 years old and was from Peckham. Sometimes he fell asleep at the premises, but would then wake up and go home. He was also a person of good character.
- When the licence holder was not present, she would authorise her partner for the sale of alcohol. He was taking a course for a personal licence.

To summarise, Mr Bellringer stated that officers had visited the premises multiple times and had witnessed multiple breaches of the licence on more than five occasions. Premises staff were likely unable to uphold the licensing objectives and if they were to carry on, they would continue to breach their licence, and the Sub-Committee should consider revoking the licence to stop further breaches

To summarise, Ms Ramirez, Mr Lake and Mr Hadi Safai informed the Sub-Committee that the licence holder would to continue in her role. The licence holder apologised for any issues. The issues would never occur at the premises again, especially misuse or operating past the permitted hours. Mr Hadi Safai would have a personal licence very soon. There was an issue with another licensed premises nearby operating for 24 hours and there was a risk of a misunderstanding where problematic patrons were coming from. They would learn from the experience.

### **Adjournment and Decision**

At 8:11pm, the Sub-Committee withdrew from the meeting together with the Legal adviser and clerk to deliberate in private. The Sub-Committee had heard and considered representations from all those who spoke. Legal advice was given to the Sub-Committee on the options open to them and the need for any decision to be proportionate. The Sub-Committee decided to grant the application and revoke the licence.

The Licensing Sub-Committee RESOLVED:

The Licensing Sub-Committee ("the LSC") carefully considered the above application. In considering the application, the LSC took account of the Licensing Act 2003 ("the Act"), the Revised Guidance issued under section 182 of the Licensing Act 2003 in February 2025 ("the section 182 guidance"), the Haringey Statement of Licensing Policy 2021-2026, the report pack, and representations from the applicant and objectors.

Having considered the application and heard from all the parties, the LSC decided to **revoke** the licence.

### **Reasons**

#### ***Written representations received***

The LSC received the following evidence:

1. A report from the Licensing Team Leader, Daliah Barrett.
2. The application from the Haringey Council Noise & Nuisance team.

The licence-holder did not submit any written evidence.

#### ***Oral representations received***

The LSC heard from:

1. Haringey Council Noise & Nuisance team, represented by Craig Bellringer.
2. The licence-holder, Maria Ramirez, assisted by a) her partner, Abdul Hadi Safai, and b) Glen Lake.

Mr Bellringer made the following representations. While not seeking to record everything said during the course of the hearing, the LSC noted and placed reliance on the following points in particular:

- He had first become aware of the premises through an anonymous email to the council detailing an assault on a patron (the LSC notes that it did not hear anything further about the alleged assault and accordingly placed no weight on this).
- His service had made a total of five visits: 8 June 2025 at 0105, 15 June at 0120, 16 August at 0100, 17 August at 0057, and 21 September after 0100.
- On each occasion, the following breaches of the licence conditions had been observed:
  - The licence conditions provided for a latest closing time (depending in part on the day of the week) of 1am, with a 30-minute drink up time. The premises were open after that time; and
  - The licence conditions required that alcohol be served only as ancillary to food. He did not see food being served.
- There were further breaches observed on specific occasions.
- On 8 June:
  - Music was audible from outside and disco lights were seen;
  - The SIA officer tried to deny entry to the officers;
  - People were seen re-entering from the rear garden, which was not supposed to be used after 2100;
  - CCTV was requested after the visit, and this was not responded to or provided.
- On 15 June:
  - Around 30-40 people were found inside, drinking and participating in karaoke;
  - Officers asked to speak to the Designated Premises Supervisor, and a man – Mr Safai – identified himself to speak to them;
  - The man told the officers there was a private party underway, but admitted there was no Temporary Event Notice in effect.
- On 16 August:
  - Music was loud at street level;
  - Around 30-40 people were inside. Some were dancing. This was not use typically associated with serving alcohol solely as ancillary to a meal;
  - Two people were found using the rear garden, use of which was not permitted after 2100;
  - There were three people who were visibly intoxicated. One was asleep, and one was asleep with his top off in the corner. All three struggled to walk out of the venue;
  - When the patrons left the premises there was no control of them leaving and most left with open glass bottles of alcohol;
  - When officers left, one of the visibly intoxicated males was urinating up against another business.
- On 17 August:
  - The shutters were closed as if the business was closed, but officers were able to see there was music being played and disco lights on;
  - A metal latch was on the door to prevent it from being opened from outside;

- Around 25 people were found inside, who had drinks on tables but with no food visible;
  - Two people were found using the rear garden to smoke;
  - Mr Safai denied that alcohol was being served and asserted that a birthday cake had been served, but was unable to provide any CCTV footage to verify this, saying that his phone was broken.
- On 21 September:
  - The same pattern of people being present drinking and dancing, with no food in evidence, continued.
- This premises was functioning as a late-night drinking spot. Everyone was drinking. No-one was there for food or atmosphere.
- The Designated Premises Supervisor was never in attendance on the days he and his colleagues had inspected.
- The patrons seemed to be in the age range 25-55 and he had no concerns about possible underage drinking.
- He did not believe the Designated Premises Supervisor and owners were capable of following their licence conditions or upholding the licensing objectives and he asked the LSC to revoke the licence.

The licence holder made the following representations. For simplicity, save where necessary the LSC does record which of the three speakers made each comment. While not seeking to record everything said during the course of the hearing, the LSC noted and placed reliance on the following points in particular:

- They understand that things have “gone the wrong way”. They apologise sincerely for this. They intend to implement measures to correct things, and ask for a “period of recovery”.
- The licence holder, Ms Ramirez, does not like to be out too late. Her partner, Mr Safai, speaks limited Spanish – the language spoken by the majority of their patrons – and is reluctant to risk altercations with their patrons, so accepts he may have been too lenient on occasion.
- Ms Ramirez’s mother has been in hospital which is why she has not always been around.
- They do not serve alcohol to customers to excess. The persons observed by the Noise officers on 16 August were not intoxicated, but there were other explanations – for example, one at the end of the week after working hard and dozes off because he is tired.
- Food is always served. It is unfortunate that the Noise officers have always visited after they have cleared tables in an attempt to be ready to close the venue.
- Their customers do not cause problems outside the venue. Mr Safai ensures they depart safely and will sometimes arrange cabs or Ubers, or for groups of them to take the bus together.
- Similarly, their patrons obey instructions and are not out of control.
- The CCTV is now working perfectly. In relation to the 8 June request, this was never received.
- No-one smokes inside the building. There is a designated smoking area outside.
- Security staff have always let council officers in, and they are welcome any time they want to come.



- The shutters are closed around 12am as they do not want more people coming in. If one opens the shutters, the doors are not locked.
- Their plan for how to bring themselves into compliance is:
  - To make their customers realise there is a new regime and that rules will be strictly adhered to; and
  - For Mr Safai to obtain a personal licence of his own so that he is clear on how he is required to operate the venue when he is the person on site.

### ***Evaluation***

The LSC reminded itself that it is required by section 4 of the Act to exercise its functions with a view to promoting the licensing objectives:

- a. the prevention of crime and disorder;
- b. public safety;
- c. the prevention of public nuisance; and
- d. the protection of children from harm.

#### ***Prevention of crime and disorder***

In connection with this objective, the LSC had the following concerns.

First, the failure to have and make available CCTV on at least two occasions. It noted the copies in the report pack of the correspondence sent by Mr Bellringer requesting this after 8 June, to which there had been no response. And it noted that no CCTV was provided after Mr Safai's phone was fixed, and that there was no evidence before it to corroborate either the nature of the problem at the time or the fact that there was no longer any other problem.

Second, on 16 August customers were observed being permitted to take open glass bottles containing alcohol with them when leaving the premises.

Third, on all occasions, alcohol was observed being served without any evidence that this was ancillary to a meal. The LSC noted the representations for the licence holder that it was indeed ancillary to a meal, and that it was merely unfortunate that the Council officers had not seen this. However, it noted and accepted the evidence of Mr Bellringer that what he saw was not consistent with ancillary drinking only, and that this was consistent (even though Mr Bellringer himself did not expressly make this connection) with the repeated presence of music and dancing.

Each of these points was a breach of a licence condition, and both individually and collectively meant that this objective was being undermined.

#### ***Public safety***

In connection with this objective, the LSC had the following concerns.

First, although an SIA was present at the site, the LSC accepted the alarming evidence of Mr Bellringer that on 8 June the SIA was the person trying to deny entry to the council officers. Notwithstanding that he had not told the LSC of any repetition of that thereafter, this was deeply troubling.

Second, the fact that shutters were closed, and that on at least one occasion there was a further metal latch on the front door – again, the LSC accepted Mr Bellringer's evidence to this effect – was a clear concern should there be a fire or other emergency.

Third, it accepted the further evidence of Mr Bellringer that on 16 August three customers were observed who had drunk to excess. Although it noted the representations of the licence holder to the contrary, Mr Bellringer's evidence was comprehensive and clear, and his observations were likely to have been reliable in this respect.

Although none of these were obviously identifiable as breaches of specific licence conditions, both individually and collectively they caused the LSC concern that this objective was being undermined.

#### *Prevention of public nuisance*

In connection with this objective, the LSC had the following concerns.

First, it was clear that the 30-minute drink up time was being routinely flouted and that alcohol was being served outside the permitted hours.

Second, it was likewise clear that the rear garden was regularly being used after 2100.

Third, on multiple of the visits music had been found to be audible at street level outside the site boundary of the premises.

Fourth, the LSC noted and accepted the evidence of Mr Bellringer that on 16 August an intoxicated customer was observed urinating in public after leaving. Whilst it also noted the representations for the licence holder that their customers did not cause problems, this simply showed that the licence holder was not fully aware of their customers' behaviour, and if they were unaware on this occasion, it meant their general assertion was less reliable.

The first three points were breaches of a licence condition. Both individually and collectively, these meant that this objective was being undermined.

#### *Protection of children from harm*

On the basis of what it had heard, the LSC had no concerns that this objective was being undermined, and indeed no-one had suggested as much.

#### *The appropriate action*

For all of the above reasons, the LSC determined it appropriate to exercise its statutory powers under section 52(4) of the Act so as to promote the licensing objectives.

In deciding which of the powers available to it was appropriate to use, the LSC followed paras.11.20-22 of the section 182 guidance by asking what the cause of the concerns was. It took the view that this was a complete failure on the part of the licence holder to understand what was required of them and commit to carrying it out.

The LSC carefully considered all of the powers available to it and which would be proportionate. In accordance with para.11.18 of the guidance, it took into account that the Noise & Nuisance team had already issued warnings requiring improvement, which had had no effect. It was striking that there were so many breaches observed in such a short period of time, including on two consecutive days and on one occasion after the review had been initiated.

Had the licence holder had a clear improvement plan in place, the LSC may have reflected differently. However, the plan before it, such as it was, was vague and unspecific and gave the LSC no reassurance. The LSC had been told that Mr Safai a) spoke less Spanish, and b) was fearful of altercations. It did not understand how his obtaining a personal licence would address either of these.

Accordingly, the LSC resolved to **revoke** this licence as the appropriate and proportionate response to the causes of concern.

#### **Appeal rights**

This decision is open to appeal to the Magistrates Court within the period of 21 days, beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of that period, or, in the event that an appeal has been brought, until that appeal is either finally determined or abandoned.

**7. NEW ITEMS OF URGENT BUSINESS**

There were no new items of urgent business.

CHAIR: Councillor Anna Abela

Signed by Chair .....

Date .....9 October 2025.....