



## NOTICE OF MEETING

---

# Licensing Sub-Committee A

---

TUESDAY, 5TH OCTOBER, 2010 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, LONDON N22 8LE.

MEMBERS: Councillors Adamou, Demirci (Chair) and Reid

### AGENDA

#### 1. WEBCASTING

**Please note:** This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.

Generally the public seating areas are not filmed. However, by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the Committee Clerk at the meeting.

#### 2. APOLOGIES FOR ABSENCE

#### 3. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with at item 8 below).

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

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

#### **5. MINUTES (PAGES 1 - 38)**

To approve the minutes of the previous meeting of the Licensing Sub Committee A held on 7<sup>th</sup> June 2010 and 7<sup>th</sup> September 2010 and the Special Licensing Sub-Committee held on 16<sup>th</sup> July 2009, 24<sup>th</sup> November 2009, 29<sup>th</sup> June 2010, 1<sup>st</sup> September 2010.

#### **6. SUMMARY OF PROCEDURE (PAGES 39 - 40)**

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003 or Gambling Act 2005. A copy of the procedure is attached.

#### **7. BRITISH QUEEN, 21 LOVE LANE, LONDON N17 (PAGES 41 - 100)**

To consider an application for a review of a Premises License at The British Queen, 21 Love Lane, London, N17.

#### **8. ITEMS OF URGENT BUSINESS**

To consider any new items of admitted under item 3 above.

#### **9. EXCLUSION OF THE PUBLIC AND PRESS**

Item 20 is likely to be the subject of a motion to exclude the press and public from the meeting as it contains exempt information as defined in Section 100a of the Local Government 1972; namely information likely to reveal the identity of an individual, and information relating to any individual.

#### **10. EXEMPT MINUTES (PAGES 101 - 104)**

To confirm the exempt minutes of the meeting held on 29<sup>th</sup> June 2010.

Ken Pryor  
Deputy Head of Local Democracy &  
Member Services, 5<sup>th</sup> Floor  
River Park House  
225 High Road  
Wood Green  
London N22 8HQ

Helen Chapman  
Principal Committee Coordinator  
(Non Cabinet Committee)  
Tel: 020-8489 2615  
Fax: 020-8489 2660  
Email: [helen.chapman@haringey.gov.uk](mailto:helen.chapman@haringey.gov.uk)

Monday, 27 September 2010

This page is intentionally left blank



**MINUTES OF THE LICENSING SUB-COMMITTEE A  
MONDAY, 7 JUNE 2010**

Councillors Adamou, Demirci and Reid

In attendance:

Ms Dale Barrett - Licensing Officer

Mr Antonios Michael – Legal Officers

Mrs Natalie Cole – Committee Co-ordinator

Also present:

The Applicant

The Objectors

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
<b>LSCA01.</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
<b>LSCA02.</b>	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>	
<b>LSCA03.</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
<b>LSCA04.</b>	<p><b>SUMMARY OF PROCEDURE</b></p> <p>The summary of procedure was noted.</p>	
<b>LSCA05.</b>	<p><b>QUEENS WOOD LODGE, 42 MUSWELL HILL ROAD, LONDON N10 3JP</b></p> <p>The Sub-Committee received an application to allow provision of Regulated Entertainment, the Supply of Alcohol and the Provision of Late Night Refreshment at Queens Wood Lodge, 42 Muswell Hill Road, London N10 3JP.</p> <p>Further to no concerns raised by the objectors, the Committee agreed to accept a petition signed by supporters of the application tabled by the Applicant.</p> <p>The Sub-Committee noted the introduction by the Licensing Officer, Dale Barrett, including that the Applicant had agreed to the conditions made by the MET Police and Environmental Health Noise Team, and highlighted that point 9 on Page 232 was misleading and that the premises did not intend to restrict the sale of alcohol to patrons who purchased meals at the premises.</p> <p>The Sub-Committee noted the statement of Councillor Jonathan Bloch (Highgate Ward Councillor) including concerns about the potential for noise disruption and disorder if the application was granted in full.</p>	

**MINUTES OF THE LICENSING SUB-COMMITTEE A  
MONDAY, 7 JUNE 2010**

Councillor Bloch urged the Sub-Committee to limit the sale of alcohol to patrons who purchased meals at the premises and to impose a condition limiting patrons to use the outside area of the premises until 20:00hrs.

In response to the Sub-Committee's questions it was noted that the nearest residential property was approximately 30 yards away from the premises.

The Sub-Committee noted the statement of Mr Hindrich, Muswell Hill road Resident, objecting to the application being granted in full on the grounds of noise nuisance and public safety; the premises was in an unlit area, which was not policed and the ground was uneven and could be dangerous to those intoxicated with alcohol.

Sub-Committee members, officers and the applicant had no questions for Mr Hindrich.

The Sub-Committee noted the statement of Mr McLean, Muswell Hill Road resident, suggesting that alcohol should only be served for consumption inside the premises, which was near to a children's playground, in order to protect children from potential harm.

Sub-Committee members, officers and the applicant had no questions for Mr McLean.

The Sub-Committee noted the statement of local resident, Mr Harvey, requesting definition of the conditions of the application and objecting to the license being granted in full as it could impact local streets due to there being no parking management plan included in the application and potential danger to local wildlife caused by litter being left in the area.

Sub-Committee members, officers and the applicant had no questions for Mr Harvey.

The Sub-Committee noted the statement of local resident, Mr Johns, who raised concerns about noise disturbance and urged the Sub-Committee to not grant the licence in full.

Sub-Committee members, officers and the applicant had no questions for Mr Johns.

The Sub-Committee noted the statement of the Applicant, Mr Shelmerdine, including that that the premises ran as a community project and was eco-friendly but required the licence to be granted to improve financial turnover. The Applicant assured the Sub-Committee that there was no intention of the premises becoming a pub or nightclub of any sort and all evening activities in the premises would be private functions.

In response to some of the objections included in the agenda pack, the Applicant stated that the relevant notices advertising the application had been displayed. Regarding concerns surrounding noise and disturbance the Applicant emphasised that he did not wish for the premises to

**MINUTES OF THE LICENSING SUB-COMMITTEE A  
MONDAY, 7 JUNE 2010**

become a nuisance to neighbours and there had been no history of complaints in the past 12 year and the premises had supplied alcohol at private functions under a previous licence for 6 of those years.

In response to questions from objectors, the Applicant:

- accepted that there had been 2 previous complaints about noise from children at the premises and he had accepted the conditions of the Noise Team in order to prevent this.
- stated that if alcohol sales were limited to consumption with the sale of food it would have a substantial financial impact on the premises over the course of a year.

In response to Councillor Reid's concern that the site was not well lit, the Applicant accepted responsibility for ensuring the safety of patrons and assured members that staff would be trained and instructed as required. The Applicant confirmed that there was flood-lighting (using sensors) around the premises and lighting on the veranda and when there were events, sometimes additional lighting was used.

In response to Cllr Reid's suggestion for the premises to use door supervisors the Applicant informed the Committee that staff members were always available to deal with any arising situation and that there was never likely to be more than 50 people at the premises at any one time.

Councillor Adamou asked how the venue dealt with litter, particularly that which might be thrown into the children's playground area. The Applicant explained that the premises utilised recycling facilities and event organisers were charged for the clearing of litter after an event, although there were not usually any empty cans or bottles thrown in the surrounding area.

In response to Councillor Reid's question, the Applicant confirmed that no amplified music would be played outside the venue but that the application included non-amplified music to be permitted outside until midnight.

All interested parties were given the opportunity to summarise their previous submissions and no new information was presented.

The Sub-Committee adjourned at 20:35 hrs to deliberate and reconvened at 21:35.

**RESOLUTION**

The Sub-Committee fully considered the application, the objectors' representations, the representations of the applicant and those of the responsible authorities. The Committee also gave regard to the borough's Statement of Licensing Policy and the Section 182 guidance.

The Sub-Committee decided to grant the application but only subject to a number of conditions. It was considered that the imposition of the following conditions would be sufficient to promote the licensing

**MINUTES OF THE LICENSING SUB-COMMITTEE A  
MONDAY, 7 JUNE 2010**

	<p>objectives and that the application should therefore not be refused outright.</p> <p>The conditions proposed in the operating schedule are imposed unless they contradict the following additional conditions:</p> <ul style="list-style-type: none"> <li>• The premises will close no later than 11pm on Sundays to Thursdays and at no later than midnight on Fridays and Saturdays. Alcohol, however, will cease to be served no less than one hour before all closing times.</li> <li>• The conditions proposed by the police in relation to required proof of age are imposed as is the implementation of the Challenge 21 scheme volunteered by the Applicant.</li> <li>• The conditions proposed by the Noise Team are imposed except that windows will not be required to remain closed at all times on the strict condition that no music played in the premises is audible at or within the site boundary of any residential property.</li> </ul> <p>In addition, staff are to encourage patrons to not congregate outside the premises and to remain inside the premises after 10.30pm on all days except to go out for short periods of time for example for those patrons who may wish to smoke.</p> <ul style="list-style-type: none"> <li>• Recorded music may only be played indoors.</li> <li>• Non-amplified live music may be played indoors during operating hours and also outdoors but only until 9pm on Sundays to Thursdays and until 10pm on Fridays and Saturdays. The Committee considered it to be unduly restrictive to impose an outright ban at all times on the playing of non-amplified live music outdoors, for example, the playing of a guitar.</li> <li>• The erection of any tents is not permitted.</li> <li>• The standard mandatory conditions apply and all parties are reminded that if, following the granting of this licence, the licensing objectives have been compromised procedures exist to have the licence reviewed.</li> </ul>	
<p><b>LSCA06.</b></p>	<p><b>ITEMS OF URGENT BUSINESS</b></p> <p>There were no new items.</p>	

The meeting ended at 21:40 hrs

Councillor Ali Demirci  
Chair

**MINUTES OF THE LICENSING SUB-COMMITTEE A  
TUESDAY, 7 SEPTEMBER 2010**

Councillors Reid, Basu and Ejiofor

Apologies Councillors Demirci and Adamou

Also Present: Councillor Scott, for the item on Eros Supermarket

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
<b>LSCA01.</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>Apologies for absence were received from Cllr Demirci, for whom Cllr Basu was acting as substitute, and from Cllr Adamou, for whom Cllr Ejiofor was acting as substitute. It was agreed that Cllr Ejiofor would Chair the meeting.</p>	
<b>LSCA02.</b>	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>	
<b>LSCA03.</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
<b>LSCA04.</b>	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <p>That the minutes of the meetings held on 16 July 2009, 24 November 2009, 7 June 2010 and 29 June 2010 be deferred to a future meeting of Licensing Sub Committee A for approval and signature.</p>	
<b>LSCA05.</b>	<p><b>SUMMARY OF PROCEDURE</b></p> <p>Noted.</p>	
<b>LSCA06.</b>	<p><b>EROS GROCERS, 120A ALEXANDRA PARK ROAD, MUSWELL HILL, LONDON N10 2AL</b></p> <p>The Licensing Officer, Ms Dale Barrett, presented the report on an application for a premises licence variation at Eros Grocers, 120a Alexandra Park Road, Muswell Hill, London N10. It was reported that the representations made by the Metropolitan Police and the child protection team had been agreed with the applicant, and had therefore been withdrawn. A large number of representations had been received from local residents, objecting to the sale of alcohol for 24 hours a day at the premises and expressing concerns that this would lead to issues with loitering outside the premises and nuisance caused by people being attracted from outside of the local area.</p>	

**MINUTES OF THE LICENSING SUB-COMMITTEE A  
TUESDAY, 7 SEPTEMBER 2010**

Cllr Nigel Scott, Ward Councillor, addressed the Committee in objection to the application, and stated that the premises was located in a predominantly residential area, and so there would be no local demand for the sale of alcohol for 24 hours a day. Cllr Scott expressed concern that 24 hour sales of alcohol would therefore attract people from outside the local area, and that this would cause a disturbance to residents. In response to a question from the Committee, Cllr Scott stated that he did not feel that there was any need for an extension of the existing licensing hours. Cllr Scott confirmed, in response to a question from the applicant, that he did not directly link any incidents of anti social behaviour in the area specifically to Eros.

Other local residents addressed the Committee in objection to the application, emphasising the residential nature of the area, and that the facility to buy alcohol for 24 hours would attract people from outside the area, causing nuisance due to noise from cars and anti social behaviour. Residents stated that they supported the rights of local businesses to earn a living, but not at the expense of the communities within which they were situated. It was reported that there had been issues in the past with young people causing a nuisance outside the premises, and one local resident reported an incident in which her son had been followed by youths from outside the premises, who had demanded money. Residents expressed concern at the effect a late night licence would have on the area, and in particular on people who needed to get up early for work. Concerns were also expressed that local residents would feel less safe travelling home at night if there was a 24 hour alcohol licence in place at the local shop, especially as the area was very quiet and there would be no police presence.

In response to questions from the Committee, all the local residents present felt that there was no need to extend the current licence at the premises. It was also confirmed that the incident in which a child had been followed and asked for money could be linked to the premises as, when the Police had investigated, the suspect had returned to stand directly outside Eros.

Mr Kilic, representing the applicant, addressed the Committee in support of the application. Mr Kilic confirmed that the applicant had agreed to comply with the conditions proposed by the police and the child protection team, and noted that no other responsible authorities had made representations in respect of the application. Mr Kilic referred to the Thwaites case, and reminded the Committee that they could only base their decision on the evidence presented to them. Mr Kilic also referred to a number of points in the guidance, and stated that, while individuals outside the premises were accountable for their own activities, the premises would take all reasonable steps to prevent any incidents occurring in connection with their customers. Mr Kilic acknowledged the concerns expressed by residents, and stated that the premises would do its best to address any concerns. The Committee was asked to grant the application as requested to give the premises an opportunity to operate within the conditions proposed, and Mr Kilic

**MINUTES OF THE LICENSING SUB-COMMITTEE A  
TUESDAY, 7 SEPTEMBER 2010**

reminded the Committee that the licence would be subject to review if any incidents were to occur in connection with the premises.

In response to a question from the Committee, Mr Kilic confirmed that the applicant acknowledged that the licence applied for would make a difference, and that additional conditions suggested by the responsible authorities had been agreed in order to reflect this. The Committee asked the applicant whether there were any issues with young people gathering outside the premises; the applicant replied that there were a number of young people in the area after schools had closed, between 3pm and 6pm, but that there were very few young people around after 8pm. In response to a question from the Committee regarding refusal logs, the applicant reported that a refusals log was currently maintained and that around 10 to 15 sales were refused and recorded on a daily basis. It was confirmed that the premises always required ID for alcohol sales. In response to a question from the Committee regarding the number of letters of representation received in relation to the application, Mr Kilic advised that it was the evidence that was in the representations that was important.

In response to a question from the Committee regarding any possible compromise in opening hours, Mr Kilic responded that the applicant would be happy to agree to close at midnight on Sundays, as there was no intention to keep the premises open for 24 hours on a Sunday.

The objectors and applicant's representative had the opportunity to sum up their cases, and the Committee retired to deliberate.

**RESOLVED**

The Committee carefully considered the application, written and verbal representations of local residents, the responsible authorities and the applicant and also took into account section 182 of the guidance and the Council's Licensing Policy and resolved to grant the application by Eros Grocers in the following terms:

Supply of Alcohol:

Sunday – Thursday	0700 – 0000
Friday	24 hours
Saturday	24 hours

Opening hours:

From 0700 on Monday to 0000 on Sunday

Subject to the following additional conditions:

- To fully implement the Challenge 21 scheme
- To implement the recommendations made by the Metropolitan Police at page 60 of the documentation, namely that a minimum of 2 people are to be working on the premises between 0000 and

**MINUTES OF THE LICENSING SUB-COMMITTEE A  
TUESDAY, 7 SEPTEMBER 2010**

	<p>0700.</p> <ul style="list-style-type: none"> <li>- CCTV to be installed at the premises, the recordings to be kept for 30 days and made available to the police and responsible authorities on demand. This to be of digital quality and to cover the exterior of the premises.</li> <li>- A complaints book to be maintained on the premises.</li> <li>- Signs to be displayed, asking customers to leave quietly and respect the local area.</li> </ul> <p>For the avoidance of doubt, the premises licence is to be granted only once the licensing authority has provided written confirmation to the applicant that it is satisfied that all the conditions have been met to the satisfaction of the licensing authority. The licence is subject to review if the conditions are not met.</p>	
<p><b>LSCA07.</b></p>	<p><b>SANDERO RESTAURANT, 434 HIGH STREET, ST ANN'S ROAD, N15 3JH</b></p> <p>The Licensing Officer, Ms Dale Barrett, presented the report on an application for a new premises licence for the provision of regulated entertainment, supply of alcohol and provision of late refreshment at Sandero Restaurant, 434 St Ann's Road, London N15. Representations had been received from the child protection officer, Metropolitan Police and Noise Team during the consultation and all the conditions proposed by these responsible authorities had been accepted by the applicant. Representation had also been received from Planning, and from local residents expressing concern regarding the effect of noise emanating from the premises on nearby homes and concerns regarding planning issues. The Committee was reminded that planning issues could not be taken into account in their decision, as these did not fall within the remit of the Licensing Act 2003.</p> <p>Local residents addressed the Committee in objection to the application, as the rear of the premises was an open area and the noise from this area would prevent local residents from opening their windows. Concerns were also expressed regarding the noise and nuisance from additional cars parking in the vicinity of the premises.</p> <p>In response to questions from the Committee, residents expressed concerns regarding odour from the flue at the premises and refuse collection. It was suggested that conditions on the licence could address the issue regarding ventilation equipment and that refuse collection would be addressed as part of any planning consent. The Licensing Officer advised the Committee that the Planning Inspectorate decision in respect of the premises did not include the rear extension, which was an ongoing matter, and that the Committee could only consider the plans submitted in relation to this application. Any subsequent change to the plans would require a fresh application.</p> <p>The applicant's representative addressed the Committee in support of the application. It was reported that the applicant came from a catering background, and that the premises had been opening as a restaurant with no licence to sell alcohol previously. Planning permission for use as</p>	



**MINUTES OF THE LICENSING SUB-COMMITTEE A  
TUESDAY, 7 SEPTEMBER 2010**

a restaurant had been refused, however the Planning Inspectorate had granted permission on appeal, with conditions. The applicant's representative advised that any concerns raised by local residents could be addressed by means of conditions within the Licensing Act, and that any breach of the conditions could lead a review of the premises licence, along with punishment under other relevant Acts.

The Committee retired to deliberate.

**RESOLVED**

The Committee carefully considered the application, the representations of all responsible authorities, local residents and the applicant and took into account the Haringey licensing policy and section 182 of the guidance and resolved to grant the application for a new premises licence at Sandero Restaurant, 434 St Ann's Road. Namely:

The Provision of Regulated Entertainment:

Monday – Sunday: 1000 – 2300

Provision of Late Night Refreshment:

Monday – Sunday: 2300 – 2330

Supply of Alcohol:

Monday – Sunday: 1000 – 2300

Opening Hours:

Monday – Sunday: 0700 – 2330

Subject to the following conditions:

- That the premises will be constructed in accordance with the plans submitted.
- That all of the conditions recommended by the Noise Team be implemented, in particular the condition that all ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.
- That the recommendations of the Child Protection Officer to implement the Challenge 21 scheme be adopted.
- That the recommendation of the Metropolitan Police at page 161 of the documentation be adopted.

For the avoidance of doubt, the premises licence is to be granted only once the licensing authority has provided written confirmation to the applicant that it is satisfied that all the conditions have been met to their satisfaction. The licence is subject to review if the conditions are not met.

**MINUTES OF THE LICENSING SUB-COMMITTEE A  
TUESDAY, 7 SEPTEMBER 2010**

<b>LSCA08.</b>	<b>ITEMS OF URGENT BUSINESS</b>  There were no new items of urgent business.	
<b>LSCA09.</b>	<b>EXCLUSION OF PRESS AND PUBLIC</b>  <b>RESOLVED</b>  That the press and public be excluded.	
<b>LSCA10.</b>	<b>EXEMPT MINUTES</b>  <b>RESOLVED</b>  That the exempt minutes of the meeting of Licensing Sub Committee A held on 29 June 2010, be deferred for consideration at the next meeting of the Licensing Sub Committee A.    The meeting closed at 22:35 hours.	

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
THURSDAY, 16 JULY 2009**

Councillors Beacham, Demirci and Dodds

SLSC01.	<p><b>ELECTION OF CHAIR</b></p> <p><b>RESOLVED</b></p> <p>That Cllr Dodds be elected as Chair for the proceedings.</p>	
SLSC02.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
SLSC03.	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>	
SLSC04.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
SLSC05.	<p><b>SUMMARY OF PROCEDURE</b></p> <p><b>NOTED</b></p>	
SLSC06.	<p><b>THE CROWE BAR, 58-60 HIGH ROAD, TOTTENHAM (SEVEN SISTERS WARD)</b></p> <p>In the absence of interested parties at the hearing, the Committee agreed to hear the application in the absence of the interested parties.</p> <p>The Licensing Officer, Ms Barrett, presented the application for a premises licence variation to allow the provision of regulated entertainment in the form of live music and anything of a similar description to that of live music at the Crowe Bar, 58-60 High Road, Tottenham. Ms Barrett reported that all points raised by the noise team in the representation made against the application had been agreed with the applicant, and that a further letter of representation had been received from a number of local residents expressing concern regarding the noise nuisance caused by the premises. Ms Barrett reported that in response to the concerns raised, the applicant had offered to clear the garden area of the premises at 23:00 so that this area would only be used for smoking after this time.</p> <p><b>RESOLVED</b></p> <p>The Committee considered the written representations of the applicant, responsible authorities and local residents and decided to grant the application for a premises licence</p>	

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
THURSDAY, 16 JULY 2009**

variation for the provision of regulated entertainment: live music and anything of a similar description to that of live or recorded music for the hours:

Friday to Saturday: 2000 to 0100

Sunday: 2000 to 2330

The licence was subject to all conditions attached to the existing licence, and the following additional conditions:

- i) All doors and windows shall remain closed during the regulated entertainment licensed activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary, adequate and suitable mechanical ventilation should be provided to public areas.
- ii) All speakers to be mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.
- iii) Entrance and exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.
- iv) The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property, including any noise escaping the rear sky light.
- v) All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.
- vi) No music shall be played in, or for the benefit of patrons in external areas of the premises.
- vii) No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.
- viii) Signs shall be displayed in the external areas / on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE**  
**THURSDAY, 16 JULY 2009**

- premises or leave if it is felt that they could be disturbing neighbours.
- ix) Deliveries and collections associated with the premises shall be arranged between the hours of 8am and 8pm so as to minimise the disturbance caused to neighbours.
  - x) Empty bottles and non-degradable refuse shall remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed.
  - xi) All plant and machinery shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.
  - xii) A complaints book shall be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainants name, location, date, time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers.
  - xiii) Where people queue to enter the premises, a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner.
  - xiv) Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner.
  - xv) When licensable live entertainment is occurring, a licensed door supervisor shall be so positioned at the entrance and exit door to prevent unwanted persons entering the premises.
  - xvi) When the premises turn out, a licensed door supervisor shall supervise patrons and ensure that they leave in a prompt and courteous manner, respecting the neighbours.
  - xvii) A licensed door supervisor shall be positioned on the exit door to ensure, as far as reasonably practicable, that patrons do not leave with drinks.
  - xviii) A licensed door supervisor shall patrol the curtilage of the premises to prevent patrons

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE**  
**THURSDAY, 16 JULY 2009**

	<p>urinating in public areas in the vicinity of the premises.</p> <p>xix) Illuminated external signage shall be switched off when the premises is closed.</p> <p>xx) Security lights shall be positioned to minimise light intrusion to nearby residential premises.</p> <p>xxi) The garden area shall be closed at 2300, and shall only be for the use of smokers after this time.</p>	
<p><b>SLSC07.</b></p>	<p><b>GRAND PALACE, 1ST FLOOR, 242 HIGH ROAD, WOOD GREEN (WOODSIDE WARD)</b></p> <p>The Licensing Officer, Ms Barrett, presented the application for a new premises licence to allow the provision of regulated entertainment, provision of late night refreshment and supply of alcohol at Grand Palace, 1<sup>st</sup> Floor, 242 High Road, Wood Green. The Committee noted that an application had recently been granted for the ground floor of the premises. Representations had been made by the noise team and these had been accepted in full by the applicant. Representations had also been submitted by local residents, expressing concern regarding the proposed opening hours.</p> <p>In response to a question from the Committee regarding the difference between the new application and the previous licence held at the premises, the Legal Officer advised the Committee that consideration had to be given to the content of the new application presented, and the adequacy of the conditions proposed. The Committee made clear that, if the licence were to be granted, this would be with all the conditions of the previous licence transferred to the new licence and the conditions agreed with the noise team as a result of their representation.</p> <p>The Committee considered the representations made by local residents, and noted that the hearing had been held in the absence of the interested parties, following attempts to make contact with those residents who had made representations.</p> <p><b>RESOLVED</b></p> <p>Having taken into account the written representations of the applicant, responsible authorities and local residents, the Committee decided to grant the application for a new premises licence to allow the provision of regulated entertainment, provision of late night refreshment and supply of alcohol at Grand Palace, 1<sup>st</sup> Floor, 242 High Road, Wood Green as requested, subject to all the conditions that had been attached to the previous premises licence and the</p>	

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
THURSDAY, 16 JULY 2009**

following additional conditions:

- i) All doors and windows shall remain closed during the regulated entertainment licensed activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary, adequate and suitable mechanical ventilation should be provided to the public areas.
- ii) The regulated entertainment licensable activity shall conclude ten minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.
- iii) The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.
- iv) No music shall be played in, or for the benefit of patrons in external areas of the premises.
- v) No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.
- vi) Signs shall be displayed in the external areas / on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours.
- vii) Deliveries and collections associated with the premises shall be arranged between the hours of 8am and 8pm so as to minimise the disturbance caused to neighbours.
- viii) Empty bottles and non-degradable refuse shall remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed.
- ix) All plant and machinery shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE**  
**THURSDAY, 16 JULY 2009**

- x) A complaints book shall be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainants name, location, date, time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers.
- xi) When the premises turn out, a licensed door supervisor shall supervise patrons and ensure that they leave in a prompt and courteous manner, respecting the neighbours.
- xii) Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner.
- xiii) A licensed door supervisor shall be positioned on the exit door to ensure, as far as reasonably practicable, that patrons do not leave with drinks.
- xiv) A licensed door supervisor shall patrol the curtilage of the premises to prevent patrons urinating in public areas in the vicinity of the premises.
- xv) All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.
- xvi) Illuminated external signage shall be switched off when the premises is closed.
- xvii) Security lights shall be positioned to minimise light intrusion to nearby residential premises.

The meeting closed at 19:25hrs.



**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 24 NOVEMBER 2009**

Councillors Beacham, Demirci and Dodds

SLSC01.	<p><b>ELECTION OF CHAIR</b></p> <p><b>RESOLVED</b></p> <p>That Cllr Dodds be elected Chair for the meeting.</p>	
SLSC02.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
SLSC03.	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>	
SLSC04.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
SLSC05.	<p><b>SUMMARY OF PROCEDURE</b></p> <p><b>NOTED</b></p>	
SLSC06.	<p><b>APPLICATION FOR A REVIEW OF A PREMISES LICENCE AT KARMENZ RESTAURANT, 192 STROUD GREEN ROAD, N4</b></p> <p>The Licensing Officer, Ms Barrett, presented the report on an application by Environmental Health (Noise) Team for a review of Karmenz Restaurant, 192 Stroud Green Road, London N4 on the grounds of the licensing objectives Prevention of Public Nuisance and Prevention of Crime and Disorder in relation to complaints regarding noise, patrons congregating on footpaths, unlicensed activities and operating beyond the permitted hours. Ms Barrett reported that a variation to the existing premises licence had been applied for and heard at a meeting in May 2009, at which a number of representations had been submitted by local residents. A varied licence, including the provision of regulated entertainment and an extension of opening hours, had been granted on condition that the new licence could not be used until an acoustic report had been submitted and a number of works carried out. It was reported that, despite this condition not being complied with, regulated entertainment had been taking place at the premises, and letters had been sent to the licensee reminding them of the need to comply with the conditions of the varied licence before this could come into force.</p>	

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 24 NOVEMBER 2009**

In response to a point raised by a local resident, Ms Barrett confirmed that the original date for the hearing had been cancelled due to the unavailability of the parties, and that all parties had been informed immediately of the re-scheduled date.

Mr Malcolm, Enforcement Response Service Manager, confirmed that the review had been sought on the grounds of the prevention of public nuisance and the prevention of crime and disorder. Mr Malcolm reported that instances of noise nuisance, disorder, unlicensed activities and exceeding the permitted opening hours had been witnessed and that the review had been called as a result of the numerous complaints received regarding the premises. An application for a licence variation for regulated entertainment and increased hours had been agreed by the licensing committee in May 2009, but conditions had been imposed on the new licence which had not been complied with. Mr Malcolm reported that the Council was not satisfied that the acoustic requirements had been met and that a letter had been sent to the licensee to remind her of the need to comply with the conditions of the varied licence. Mr Malcolm presented a summary of the occasions on which the noise team had attended the premises in response to complaints, and requested that the Committee revoke the licence as the licensee had shown disregard for the Licensing Act and the licensing objectives.

In response to a question from the Committee, Mr Malcolm confirmed that the noise team was not satisfied that the acoustic work undertaken was compliant, as it had not been possible to set the sound limiter at the nearest premises due to the refusal of the resident of the nearest property. Mr Malcolm clarified that this would mean that the original premises licence was still in force, as the conditions of the varied licence had yet to be met. In response to a question from the Committee regarding the application of the licensing objective relating to crime and disorder, Ms Barrett confirmed that case law had established that operating licensable activities for which a licence was not held constituted a criminal offence.

The licensee's representative asked when the Council had formally advised the licensee that the acoustic work undertaken was not acceptable. Mr Malcolm referred to correspondence sent from the Council to Ms Singh reminding her of the need to comply with the conditions of the varied licence, and advised that he had spoken in person to the licensee to explain that the acoustic report was not acceptable to the Council, but did not have a record of when this conversation had taken place. The licensee's representative asked what the specific licensing offences

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 24 NOVEMBER 2009**

were on the occasions referred to in the noise team's representation. Mr Malcolm reported that the offences were opening beyond the permitted hours and carrying out a licensable activity for which no licence was in place, namely regulated entertainment. In response to a request from the licensee's representative, Mr Malcolm clarified that music was audible from the premises at 0300 on 23 August 2009 and that music was audible on 6 September 2009.

Joyce Golder, Legal Services, asked whether there was a record of whether the licensee had been spoken to personally, on the occasions listed in the schedule, regarding the concerns raised. Mr Malcolm referred to the correspondence and notes from the occasions listed and reported that a letter had been sent on 20 July 2009, referring to the events of 18 July, but that there was no note of the discussion held with the licensee. It was noted that a discussion had been held with the licensee regarding music being played on 23 August 2009, but no letter relating to this incident was on file. There was no record on file regarding discussions held on the other occasions listed. Mr Malcolm reported that, as standard, a letter should be sent to follow up discussion with a licensee regarding any licensing breach, by first class post to their home address and business premises, copies of which should be kept on file. Ms Golder asked whether there was any record of the licensee stating that an acoustic report had already been submitted in the course of any of the conversations with the noise team, and it was reported that there was no record of this.

A local resident referred to local concerns regarding noise nuisance and litter from the premises, and gave details of the dates on which he had called the noise team regarding noise nuisance from the premises, outside of its licensed opening hours. It was reported that the premises was quiet during the week, but caused a lot of noise and disturbed local residents at weekends. It was also reported that customers of the premises standing in the alleyway outside made this access very threatening.

In response to a question from the licensee's representative, the local resident reported that the noise team had visited the premises in response to his calls, but had not been inside his home to assess the noise nuisance.

The licensee's representative reported that it was notable that the police had not made any representation, as crime and disorder was one of the grounds on which the review had been brought. He reported that further information on the case-law relating to the operation of licensable activities for which a licence was not in force was needed before he

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 24 NOVEMBER 2009**

would accept the point that this constituted crime and disorder under the Licensing Act. It was reported that the licensee had managed the premises for a period of five years, and had carried out the acoustic work required by the Council at the previous hearing, but had not been advised by the Council that the work undertaken was not sufficient. The licensee's representative suggested that the work carried out was sufficient, as steps had been taken to adjust the sound limiter to a reasonable level. He reported that the occupant of the nearest sound sensitive premises was within their right not to comply, in which case it would be necessary to set the limiter to the next nearest property. It was reported that the licensee had submitted an acoustic report and, having never been notified by the Council that this was not acceptable, had assumed that this was satisfactory. The licensee reported that she had not been receiving all her post and had advised the Council of this.

The licensee's representative contended that it was not an offence for the licensee to operate beyond the permitted opening hours if no licensable activities were taking place. It was reported that the licensee was trying to address the residents' concerns regarding noise nuisance but it was noted that no statutory nuisance had been observed from within residents' homes and that the complaints received were from before the installation of the sound limiter. There were still some minor works to address noise issues to be completed, and the licensee was willing to offer further conditions to address the concerns of residents, for example limiting the number of smokers permitted outside at any one time to five. It was reported that the licensee was in difficult personal circumstances, and that during this time she would be happy to agree for someone else to replace her as DPS at the premises.

A local resident asked how the licensee proposed to address the issue of the premises opening beyond its agreed hours, in response to which the licensee's representative agreed that on occasion the opening hours had been exceeded and that a new DPS would ensure that management arrangements were stronger to make sure that hours were not exceeded. It was also suggested that local residents could be given prior warning of any private parties that would be going on late. The licensing officer clarified that if there was any charge to hire the room or for attendance then music and dancing would constitute licensable activities and would be covered by licensing law, regardless of whether these were called private parties. The licensee's representative confirmed that the parties referred to were for family and friends, for which no charge at all was made, and were therefore not licensable. The licensee offered to cease holding any private parties in the premises

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 24 NOVEMBER 2009**

if this was a concern, as a concession to local residents.

In response to a question from the Committee, it was reported that the licensee had delivered the acoustic report by hand in July, as soon as it was received, and Mr Malcolm confirmed that the report had been received by the Council on 20 July 2009. The Committee asked whether the licensee had told the Council that she was not receiving her post, in response to which the licensee reported that she had advised the Council of this but was not sure when this was and that it may have been when the acoustic report was hand-delivered. In response to a question from the Committee regarding the licensee's understanding of the conditions imposed when the variation of the licence was granted in May 2009, it was reported that the licensee believed that once the acoustic report had been submitted, the condition had been complied with. The licensee accepted that this had been a misunderstanding. In response to a question from the legal officer, the licensee reported that she had never received a letter accepting the acoustic report submitted, and that she could not recall whether she had received written confirmation of the decision of the Committee in May 2009. The licensee's representative confirmed that the licensee had not been receiving all her post, and that her understanding of the decision of the meeting of the Licensing Sub Committee she had attended in May 2009 was not as clear as it could have been.

In response to a question from the Committee, the licensee's representative expressed concern regarding the inconsistency in the evidence of offences provided by the noise team. The licensee was able to confirm that three of the occasions were private parties held at the venue, but that she did not recall the other occasions listed.

Ms Golder reported that a variation to the licence had been granted in May to permit the provision of regulated entertainment, but that this was not to be used until such time as a scheme of works drawn up by acoustic consultants had been implemented to the satisfaction of the Council. Although the premises had been operating as though the varied licence was in force, it was reported that, as the conditions on which the variation had been agreed had not been complied with, the variation should not yet be used. Ms Golder advised that the crime and disorder licensing objective could be taken into account without representations being received from the Police, and that it had been established that the issues of crime and disorder could be considered separately from one another. The licensee's representative reported that there was no evidence of any criminal offence in the documentation.

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 24 NOVEMBER 2009**

In conclusion, the local resident stated that until the licensee could prove their ability to comply with the conditions in place on the licence, there should be no extension to the licensable activities.

Mr Malcolm reiterated the grounds for the review and urged the Committee to revoke the licence or impose stringent measures until the licensee had demonstrated that they would comply with the licence conditions.

The licensee's representative concluded by asking the Committee not to revoke the licence. He reported that the licensee had been going through a difficult time and believed that she had complied with the conditions of the licence in fitting a sound limiter and that she now fully understood that no regulated entertainment could be used until the acoustic works had been approved by the Council. It was also stated that the additional conditions offered by the licensee should address the concerns of local residents. The Committee was asked to exercise their discretion, and to realise that in revoking the licence they would be taking away a large part of the licensee's income.

The Committee adjourned to deliberate.

The Committee reconvened, and the legal officer made representations on the status of the varied licence which, it was contended, had no status as the conditions on which it was based had not been met. It was suggested, on this basis, that the only licence in force was the original licence which did not include regulated entertainment, and that this was the only licence that could be considered by the Committee under this review. The licensee's representative disagreed with this position and did not accept that the varied licence granted in May had no status. The licensee's representative stated that this was a decision for the Committee to take.

**RESOLVED**

The special licensing sub committee considered quite a novel point in relation to the matter at the hearing. The brief background was that Karmenz Restaurant had a premises licence, number LN00002125, permitting the supply of alcohol and provision of late night refreshment, the opening hours of the premises being Monday to Saturday 0800 to 0000, Sunday and Bank Holidays 0800 to 2300, and subsequently applied for a variation to the aforementioned licence on the 14 May 2009, principally to include the provision of regulated entertainment, namely live and recorded music and an increase in opening hours of the

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 24 NOVEMBER 2009**

premises. Whilst this was granted by the Committee, it was conditional on the applicant implementing a scheme approved by a noise consultant to the satisfaction of the Council and on both the licence and the written decision it stated that the applicant could not use the premises licence until she had satisfied that condition. It was made clear in evidence provided by the authority and the applicant herself that, despite the applicant being confused as to the meaning of the condition, the Council had not to date shown themselves to be satisfied that that condition had been met. The Committee therefore considered the varied licence not to be in force and that it therefore could not be reviewed. The Committee reverted to the only premises licence currently in force, to consider the application for review made by the Environmental Health Noise Team.

Based on the representations heard by all parties at the hearing, and with due weight given to all representations, it was the Committee's decision to suspend the original premises licence for a period of two months, namely until the 25<sup>th</sup> January 2010, effective immediately, at which time the applicant would then be permitted to operate under that premises licence number LN00002125. The Committee gave the applicant the opportunity to operate under the premises licence number LN000003217, dated 14 May 2009, from the 25<sup>th</sup> January 2010 only if its conditions were met to the satisfaction of the Council, which satisfaction should be conveyed in writing by the Council to the applicant. Until such time, the varied premises licence would not take effect.

The Committee's reasons for the decision to suspend the premises licence for two months was because the Committee had given due weight to the representations given by the noise team and the local resident under the prevention of public nuisance licensing objective. The Committee felt that these were compelling and clearly outlined a serious concern and therefore warranted a serious response. The Committee reminded the applicant of the responsibilities imposed on her as the premises licence holder and DPS to ensure compliance with the Licensing Act 2003 at all times.

The meeting closed at 22:00hrs.

This page is intentionally left blank



**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 29 JUNE 2010**

Councillors Browne, Demirci and Jenks

SLSC07.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
SLSC08.	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>	
SLSC09.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
SLSC10.	<p><b>SUMMARY OF PROCEDURE</b></p> <p>The summary of procedure was noted.</p>	
SLSC11.	<p><b>EKUBANZ, 651 HIGH ROAD, LONDON N17 (NORTHUMBERLAND PARK WARD)</b></p> <p>Dale Barrett, Licensing Officer, presented the report on an application by the Metropolitan Police for a review of the licence in respect of Ekubanz, 651 High Road, N17 following a Closure Notice referred to the licensing authority by the Magistrates Court. The review had been brought on the grounds of concerns in relation to incidences of serious crime in relation to the premises. Evidence had been provided by the Police in respect of the review, and representations had also been made by the noise team, environmental health and local residents. Ms Barrett outlined the options available to the Committee in considering the application. Ms Barrett advised the Committee that it had been requested that the evidence provided by the Police be considered in private session, as this information was exempt on the grounds of relating to an individual or was likely to reveal the identity of an individual, and due to its nature might relate to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. The Committee considered this request, and agreed that the the public interest in preserving the confidentiality of the evidence outweighed the public interest in that part of the hearing taking place in public.</p> <p>Two local residents addressed the Committee in support of the review application, and reported that for a number of years they had been woken between 2am and 5am by people fighting, arguing, the sound of car engines, loud music, gunshots, screams and over the top behaviour. It was reported that there was litter left outside the premises, and people loitered on the street outside and tried to sell drugs. The effect of all this was that it was almost impossible</p>	

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 29 JUNE 2010**

to sleep before 5-6am, they were exhausted by Monday morning, and they felt nervous and intimidated coming home. Residents felt that they ought to have the right to peaceful sleep at weekends. It was noted that the premises was in a residential area with many families and children living nearby, and that the noise from the premises affected the lives of all the local residents and children having to go to school shortly after being stopped from sleeping by the noise. Residents stated that they did not object to people running their business, but that they felt that nobody was in control of the premises.

The Designated Premises Supervisor asked how residents could tell that the people offering drugs for sale were related to the premises, as they said that this took place on the street, in response to which a resident responded that they were standing right next to the entrance. It was reported that a number of people had been hanging around the premises after one of the Ghana World Cup games, however the DPS stated that the premises had not been open for that game.

It was agreed that the hearing would move into private session and the two local residents who had made representations withdrew from the proceedings.

**SLSC12.**

**EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED**

That the press and public be excluded from proceedings under Categories 1 and 2 of exempt information as defined in Section 100a of the Local Government Act 1972, namely information relating to any individual and information which is likely to reveal the identity of an individual.

**SLSC13.**

**EKUBANZ, 651 HIGH ROAD, LONDON, N17  
(NORTHUMBERLAND PARK WARD)**

During the private session of the hearing, the Committee heard representations from a number of police witnesses referring to incidences of crime and disorder in support of their recommendation that the premises licence should be revoked in its entirety. All parties were offered the opportunity to ask questions.

CCTV footage of an incident relating to crime and disorder was shown by the police and all parties were offered the opportunity to ask questions.

The licence holder and DPS stated their case and all parties were offered the opportunity to ask questions.

The Committee decided to allow summing up to take place

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 29 JUNE 2010**

	<p>in public and gave a specific warning to all parties that summing up should not include the disclosure of any information relating to an individual or information likely to reveal the identity of an individual.</p>	
<b>SLSC14.</b>	<p><b>RE-INCLUSION OF PUBLIC AND PRESS</b></p> <p><b>RESOLVED</b></p> <p>That the press and public be re-admitted for the remainder of the hearing.</p>	
<b>SLSC15.</b>	<p><b>EKUBANZ, 651 HIGH ROAD, LONDON N17 (NORTHUMBERLAND PARK WARD)</b></p> <p>In conclusion, Ms Crew advised that the police felt they had established concerns about crime and disorder in relation to the licence and that the Committee had heard evidence that the licence holder had lost control of the premises. It was reported that conditions of the licence had failed to be met, particularly in relation to door supervisors and opening hours. Given the circumstances, the police were requesting revocation of the licence, in accordance with the Section 182 guidance as it was felt that any lesser steps would not address the concerns raised.</p> <p>Ms Coleman and Mr Ekuban concluded by stating that all the evidence heard related to hired events at the premises and that no problems would occur were the premises run simply as a restaurant, closing at 2am and with no provision for Regulated Entertainment. The Committee was asked to permit the premises to continue to operate on this basis.</p> <p><b>RESOLVED</b></p> <p>The Committee fully considered the review application, the local residents' representations, the representations of the premises licence holder and DPS and the responsible authorities. Also taken into account was Haringey's Statement of Licensing Policy and the section 182 guidance and the Committee gave due weight to all the evidence adduced. The Committee placed particular emphasis on the representations by the police, especially in relation to crime and disorder and public safety. The Committee also considered that nuisance was occurring from the premises. In all the circumstances, the Committee thought that it would be disproportionate to revoke the licence in its entirety because it considered that conditions could be imposed that could sufficiently address the Licensing Objectives. In relation to the existing premises licence dated 24 November 2005, it decided to:</p> <p>1) Suspend the licence for a period of three months to</p>	

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
TUESDAY, 29 JUNE 2010**

enable a clean break from the previous nature of the premises;

- 2) Exclude Regulated Entertainment as a licensable activity;
- 3) Modify the times that alcohol may be sold to the following:

Sunday – Thursday	1100 – 2330
Friday – Saturday	1100 – 0030

The opening hours to be as follows:

Sunday – Thursday	1100 – 0000
Friday – Saturday	1100 – 0100

- 4) Due to the above, there is no longer a requirement for door supervisors to be present at the premises.

As an informative, the licence holder and DPS are reminded of the need to adhere to the mandatory conditions which already feature in the existing licence and to seek the Licensing Authority's assistance if there is anything they do not understand. The Committee also reminds the DPS that she must be present if alcohol is being sold. The Committee particularly reminds the licence holder and DPS of their requirement to disperse customers quickly at closing time and reminds them of the legal requirement to enforce a smoke-free premises. The Committee further reminds the licence holder and DPS of the need to adhere to the specific Tottenham Hotspur Football match conditions under their existing licence.

Cllr Ali Demirci  
Chair

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
WEDNESDAY, 1 SEPTEMBER 2010**

Councillors Brabazon, Demirci and Jenks

SLSC01.	<p><b>ELECTION OF A CHAIR FOR THE DURATION OF THE PROCEEDINGS RESOLVED</b></p> <p>That Cllr Demirci be appointed Chair for the proceedings.</p>	
SLSC02.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
SLSC03.	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>	
SLSC04.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>Cllr Demirci advised that he had met the objector before in another forum on an unrelated matter. It was not felt that this constituted a personal or prejudicial interest.</p>	
SLSC05.	<p><b>SUMMARY OF PROCEDURE</b></p> <p><b>NOTED</b></p>	
SLSC06.	<p><b>TEE'S WINE BAR – WELLINGTON TERRACE, TURNPIKE LANE, LONDON N8 0QY</b></p> <p>The Licensing Officer, Dale Barrett, presented the report on an application by Trust Inns Ltd to extend the hours for Provision of Regulated Entertainment, Supply of Alcohol and Provision of Late Night Refreshment at the premises. Ms Barrett advised that the Ward affected by the application was Noel Park, and not Harringay as stated in the report. It was reported that the proposed Operating Schedule did not differ from the current Operating Schedule, other than the amendment of the name of the premises from 'Catch 22' to 'Tee's Wine Bar' where this appeared under the Public Safety heading. The Licensing Officer confirmed that the representation made by the Child Protection Officer had been withdrawn, further to the applicant agreeing to the condition proposed. One letter of objection had been received in respect of the application, expressing concerns relating to litter in front of the premises and that the hours applied for were excessively late.</p> <p>In response to a question from the objector, Ms Barrett responded that the issue of tables and chairs outside the premises was a matter for Street Enforcement and was not a Licensing issue. The applicant's representative confirmed that</p>	

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
WEDNESDAY, 1 SEPTEMBER 2010**

the applicant had no intention of using tables and chairs outside the premises and would not be applying for a licence in this respect.

A local resident spoke in objection to the application, stating her concerns regarding the untidiness and poor maintenance of the premises, cigarette butts and litter on the street outside and the negative effect this had on the area as a whole. The resident said that the cigarette bin currently in place had been broken for some time and could not be used. It was stated that local residents did not want the application to be granted.

In response to questions from the Committee, the objector confirmed that her concerns were based on the issue of public nuisance relating to the untidiness of the premises. She stated that she could not comment on noise issues. In response to questions from the applicant's representative, the objector gave details of the resident's association she was representing. Although a meeting of the association had not been held to discuss this particular premises, the objector stated that other local residents agreed with the views she had put forward.

The applicant's representative, Mr Shields, stated that the application was to extend the activities that the applicant had been managing successfully for the past 14 months with no issues. Mr Shields described the location of the premises as being on the corner of a busy main road, close to a number of other late-night businesses, with no residences in the immediate vicinity. The Committee was asked to note that no representations had been submitted by the police or environmental health, and that this was a positive endorsement of the way in which the premises was operating. In respect of the concerns raised by the objector, Mr Shields confirmed that the applicant would agree to conditions in relation to cleaning the front of the premises and cigarette bins.

The Committee asked the applicant, Mr Sewell, about the arrangements for smokers, in response to which Mr Sewell advised the Committee that doormen were instructed to ensure that smokers moved away from the immediate front of the building and monitored customers returning to the premises after they had finished smoking. The applicant advised that cigarette butts were swept up on an hourly basis to keep the premises tidy. The applicant also provided details of waste management arrangements in place at the premises, in response to a question from the Committee. In response to a question from the Committee regarding how the applicant would manage customers drinking for an extended period, Mr Sewell responded that they were not permitted to serve customers who were already intoxicated and that this would

**MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE  
WEDNESDAY, 1 SEPTEMBER 2010**

not change if the hours were to be extended. In response to questions about keeping the front of the premises clean, Mr Sewell confirmed that he had replaced the plant pot for the plant outside the premises to one people could not throw litter into and added that he swept up cigarette butts outside the premises himself, during opening hours. It was confirmed that there were two public litter bins installed in the vicinity of the premises.

Both parties had an opportunity to sum up the points they had made, and the Committee retired to deliberate.

**RESOLVED**

The Committee fully considered the application including the representations of the applicant, the objector and those of the responsible authorities. The Committee also gave regard to the borough's Statement of Licensing Policy and the section 182 Guidance.

The Committee decided to grant the application as requested subject to the following. All the conditions attached to the existing licence apply. Reference therein to Catch 22 should now read Tee's Wine Bar. In addition, the following conditions are imposed for the prevention of public nuisance and for the protection of children from harm:

- The Child Protection Agency Nominee's proposals to keep a refusals log book and to implement the Challenge 21 policy are imposed.
- The installation of two wall-mounted cigarette disposal bins at the frontage of the premises, these to be cleared out daily.
- On every day past midnight, the frontage of the premises is to be regularly swept clear of litter.

Informative

The applicant is specifically reminded to observe the existing conditions relating to the prevention of public nuisance and encouraged to have displayed signs encouraging customers to use the cigarette bins and public bins outside the premises and to ask the doormen to monitor this.

The meeting closed at 20:15hrs.

This page is intentionally left blank



<b>LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY</b>	
<b>INTRODUCTION</b>	
1.	The Chair introduces himself and invites other Members, Council officers, Police, Applicant and Objectors to do the same.
2.	The Chair invites Members to disclose any prior contacts (before the hearing) with the parties or representations received by them
3.	The Chair explains the procedure to be followed by reference to this summary which will be distributed.
<b>NON-ATTENDANCE BY PARTY OR PARTIES</b>	
4.	If one or both of the parties fails to attend, the Chair decides whether to:
	(i) grant an adjournment to another date, or
	(ii) proceed in the absence of the non-attending party.
	Normally, an absent party will be given one further chance to attend.
<b>TOPIC HEADINGS</b>	
5.	The Chair suggests the "topic headings" for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is:
	<b>Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.</b>
	(i) the prevention of crime and disorder,
	(ii) public safety,
	(iii) the prevention of public nuisance, and
	(iv) the protection of children from harm.
6.	The Chair invites comments from the parties on the suggested topic headings and decides whether to confirm or vary them.
<b>WITNESSES</b>	
7.	The Chair asks whether there are any requests by a party to call a witness and decides any such request.
8.	Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to "cross-examine" the witness. The Chair then decides any such request.
<b>DOCUMENTARY EVIDENCE</b>	
9.	The Chair asks whether there are any requests by any party to introduce late documentary evidence.
10.	If so, the Chair will ask the other party if they object to the admission of the late documents.
11.	If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not be admitted.

12.	If the other party object to documents produced late but before the hearing, the following criteria shall be taken into account when the Chair decides whether or not to admit the late documents:	
(i)	What is the reason for the documents being late?	
(ii)	Will the other party be unfairly taken by surprise by the late documents?	
(iii)	Will the party seeking to admit late documents be put at a major disadvantage if admission of the documents is refused?	
(iv)	Is the late evidence really important?	
(v)	Would it be better and fairer to adjourn to a later date?	
<b>THE LICENSING OFFICER'S INTRODUCTION</b>		
13.	The Licensing Officer introduces the report explaining, for example, the existing hours, the hours applied for and the comments of the other Council Services or outside official bodies. This should be as "neutral" as possible between the parties.	
14.	The Licensing Officer can be questioned by Members and then by the parties.	
<b>THE HEARING</b>		
15.	This takes the form of a discussion led by the Chair. The Chair can vary the order as appropriate but it should include:	
(i)	an introduction by the Objectors' main representative	
(ii)	an introduction by the Applicant or representative	
(iii)	questions put by Members to the Objectors	
(iv)	questions put by Members to the Applicant	
(v)	questions put by the Objectors to the Applicant	
(vi)	questions put by the Applicant to the Objectors	
<b>CLOSING ADRESSES</b>		
16.	The Chair asks each party how much time is needed for their closing address, if they need to make one.	
17.	Generally, the Objectors make their closing address before the Applicant who has the right to the final closing address.	
<b>THE DECISION</b>		
18.	Members retire with the Committee Clerk and legal representative to consider their decision including the imposition of conditions.	
19.	The decision is put in writing and read out in public by the Committee Clerk once Members have returned to the meeting.	

**Licensing Act 2003 Sub-Committee on 5<sup>th</sup> October 2010**

**Report title: Application for a Review of a Premises Licence at THE BRITISH QUEEN, 21 LOVE LANE. LONDON N17**

**Report of: The Lead Officer Licensing**

**Ward(s) affected NORTHUMBERLAND PARK**

**1. Purpose**

To consider an application by Homes for Haringey as a body representing the interests of their tenants affected by The British Queen, 21 Love Lane N17

**Summary of application**

- The applicants are seeking a review of the Premises Licence with reference to the licensing objective of the Prevention of Public Nuisance and Prevention of Crime and Disorder.

**Date review application served: 10<sup>th</sup> August 2010**

In accordance with regulation 38 of the Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005, officers arranged for notices of the review to be published for 28 days on the affected premises, on the public notice board at the Civic Centre and on the Council's website.

A copy of the review application and supporting documents are at appendix 1.

**2. Officers Observations**

In determining this application the Licensing Sub Committee must have regard to the:

- 2.1
- (a) need to promote the four licensing objectives
  - (b) representations
  - (c) relevant sections of the statutory guidance to licensing authorities (appendix 5)
  - (d) relevant sections of the licensing authority's statement of licensing policy (appendix 6)

Report authorised by: Robin Payne.....



**Head of Enforcement Services**

**Contact Officer: Ms Daliah Barrett -Williams**

**Telephone: 020 8489 8232**

**3. Access to information:**

Local Government (Access to Information) Act 1985  
 Background Papers

The following Background Papers are used in the preparation of this Report:

**File: THE BRITISH QUEEN**

The Background Papers are located at Enforcement Service, Technopark, Ashley Road, Tottenham, London N17 9LN

This page is intentionally left blank

#### 4. REPORT

##### Background

Homes for Haringey have submitted an application for the review of a premises licence under the:

Prevention of Public Nuisance objective due to:

- Noise Nuisance Complaints, from loud music entertainment emanating from the premises which has been witnessed.

Prevention of Crime and Disorder objective due to:

- Crime and disorder caused by patron's of the premises congregating on the footpath to smoke and leaving the premises outside of permitted hours.
- Carrying out licensable activities without the benefit of a premises licence.
- Operating beyond permitted hours on the premises licence.

Licensable activities authorised by the Licence:

##### Sale of alcohol

Monday to Wednesday	1100 to 2300
Thursday	1100 to 0000
Friday & Saturday	1100 to 0100
Sunday	1200 to 2300

##### Regulated entertainment

Monday to Wednesday	1100 to 2300
Thursday	1100 to 0000
Friday & Saturday	1100 to 0100
Sunday	1200 to 2300
Christmas Day	1200 to 1500 and 1900 to 2230
New Years Eve	from the start of permitted hours on 31 December until the start of permitted hours on 1 January

**The opening hours of the premises:**

<b>Monday to Wednesday</b>	<b>1100 to 2330</b>
<b>Thursday</b>	<b>1100 to 0030</b>
<b>Friday &amp; Saturday</b>	<b>1100 to 0130</b>
<b>Sunday</b>	<b>1200 to 2330</b>

**New Years Eve from the start of permitted hours on 31 December until the start of permitted hours on 1 January.**

**The designated premises supervisor is: MS DAWN FRASER**

**The Premises Licence Holders are: ADMIRAL TAVERNS**

**4.2 Details of the Application for Review. Appendix 1**

The review is brought by Homes for Haringey in their capacity as Interested Parties. The residents of Love Lane, Headcorn, Tenterden, Beaufoy and Gretton residents associations voted to request the review of the licence held by Admiral Taverns.

Members should note that Mr Davis is the tenant of Admiral Taverns but his name does not appear on the premises licence. Ms Fraser is the personal licence holder and is therefore assigned as the designated premises supervisor at the premises and is also Mr Davis partner.

It is a fact that Admiral Taverns have been seeking to evict Mr Davis from the premises and is currently going through forfeiture proceedings to bring this about. The public house has been operated under the management of Mr Davis and it is the management of the premises that has caused residents to take this action.

The British Queen is located in a residential area; it is surrounded by residential properties on all sides.

**5.0 RELEVANT REPRESENTATIONS (CONSULTATION)**

**Responsible authorities:**

**5.1 Comments of Metropolitan Police**

Representation has been made and tabled at Appendix 2.

**5.2 Comments of Enforcement Services:**

**Noise Team**

Representation has been made and tabled at Appendix 3

**5.3 Comments of The London Fire and Emergency Planning Authority**

No representation made.

## 6.0 POLICY CONSIDERATIONS

- 6.1 The following provisions of the Licensing Act 2003 apply to this application:  
Section 51-53 (review of premises licenses)

In determining the application the Licensing Sub Committee can take such steps as it considers necessary for the promotion of the licensing objectives, which are:

1. Take no further action
2. modify the conditions of the license
3. exclude a licensable activity from the scope of the license
4. remove the designated premises supervisor
5. suspend the license for a period not exceeding three months
6. revoke the license.

Where the Licensing Sub Committee takes steps mentioned in 3 or 4 it may provide that the modification or exclusion is to have effect for one such period (not exceeding three months) as it may specify. The Licensing Sub Committee is asked to give full reasons for its decision.

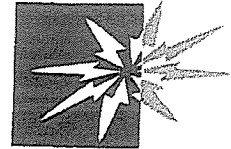
The Licensing Sub Committee must make its decision within 5 working days of the end of the hearing. Any decision of the Licensing Sub Committee is stayed from coming into effect for 21 days from the date of the decision, pending any appeal that might be made and the determination of that appeal. Any party to the proceedings may appeal against the decision of the Licensing Sub Committee.

- 6.2 The following provisions of the Secretary of State's guidance apply to this application: Paras 11.1 – 11.10, 11.14 – 11.21. These provisions are attached at Appendix 5.
- 6.3 The following paragraphs of the licensing authority's Statement Of Licensing Policy apply to this application; 24.1 -24.2, 25.1 – 25.7, these provisions are attached at Appendix 6.
- 6.4 The Licensing Sub Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.

APPENDIX 1  
APPLICATION FOR REVIEW



LICENSING ACT 2003  
Sections 51 and 87



Haringey Council

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

(1)

Reference number:

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records

(2) We at Homes for Haringey

apply for the review of a [premises licence under section 51]

[club premises certificate under section 87] of the Licensing Act 2003 for the premises described in Part 1 below

**Part 1 - Premises or club premises details**

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description British Queens Pub 21 Love Lane Tottenham	
Post town London	Postcode (if known) N17 8HG
Telephone number (if any)	
Name of premises licence holder or club holding club premises certificate (if known) Admiral Taverns (58) Ltd	
Number of premises licence or club premises certificate (if known) 06077468	

**Part 2 - Applicant details**

I am

Please tick ✓ yes

- 1) an interested party (please complete section (A) or (B) below)
- a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises

Delete any words in square brackets which do not apply

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant(s)

Please tick ✓ yes

- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname  First names

I am 18 years old or over  Please tick ✓ yes  
 Date of birth 

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Current address

Post town  Postcode

Daytime contact telephone number

E-mail address (optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address   
 David Clark  
 North Tottenham Area Office  
 Homes for Haringey  
 639 High Road  
 Tottenham

Post town London Postcode N17 8BD

Date of birth 

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address	
Post town	Postcode

Telephone number (if any)

E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

Please tick  one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/>            |

Please state the ground(s) for review (please read guidance note 1)

I am requesting a review in the capacity of a Tenancy Management Team Leader that is acting on behalf of the Homes for Haringey residents. A Residents Association meeting was held on 6 July 2010. The residents of the Love Lane residents association and the Headcorn, Tenterden, Beaufoy and Gretton residents association voted to request the review of the licence which is held by Admiral Taverns.

There is a court case between Admiral Taverns and the tenant which is expected to be heard on the 27 October 2010. I have been informed that the Admiral Tavern's tenants are causing such a nuisance that they are taking civil action to obtain a possession order with the intention of evicting the tenants.

Councillor Amin has received complaints at her surgery from a number of residents that live within the vicinity. The Chief Executive of Homes for Haringey has received a letter from a significant number of local residents raising concerns about the behaviour of the residents that visit the British Queens pub.

The British Queen's pub is located in a residential area, surrounded by Haringey Council residents and leaseholders that are managed by Homes for Haringey. Although the public house is detached it still causes noise nuisance to its neighbours. The Noise Nuisance Patrol Team have records of incidents that have been reported to them. The Noise Nuisance Service Manager has confirmed that they have received numerous complaints about the British Queens pub. Complaints date back to 6 June 2009. A warning letter was sent on the 5 July 2010. The last complaint was received by the noise nuisance team on 1 August 2010

Please provide as much information as possible to support the application  
(please read guidance note 2)

Residents have complained to Homes for Haringey that the customers are not dispersing at closing time as required by the licence terms. Homes for Haringey has received complaints that the pub is open until 2am and 3am which is against the terms of the licence. The customers of the pub do not leave the pub quietly and it has been reported that the customers that leave the pub engage in anti social activity, they have been seen fighting on the streets, making a lot of noise and damaging cars that belong to residents.

Residents have approached Admiral Taverns requesting that the customers leaving the British Queen pub do so in a manner that does not cause a nuisance to its neighbours which is preventing the quiet enjoyment of the residents living in the locality.

However, a complaint about the customers at the British Queens pub was received by the Tenancy Management team as recently as the 3 August 2010. The complaint concerned the customers of the pub, urinating and being sick on the garage doors, blocking access to the garages and intimidating the residents, and leaving glass along the road and turning over the bottle bank. Standard glasses are being thrown onto the streets and are not cleared by the pub causing problems for car owners who fear having their tyres damaged.

Finally according to the Licence we have seen, the premises should be managed by Dawn Fraser. In fact it seems that the manager of these premises is Mr Davis.

If possible, the names of those who have signed the attached petition should not be made public.

Please tick ✓ yes

Have you made an application for review relating to these premises before?

If yes, please state the date of that application

Day	Month	Year

If you have made representations before relating to these premises, please state what they were and when you made them.

Not applicable.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Part 3 - Signatures** (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4)  
If signing on behalf of the applicant please state in what capacity.

Signature *David Clark*

Date *9/8/2010*

Capacity *Tenancy Management Team Leader - Homes for Haringey.*

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

David Clark  
North Tottenham Area Office  
Homes for Haringey  
639 High Road  
Tottenham

Post town London

Postcode N17 8BD

Telephone number (if any) 0208 489 4400

If you would prefer us to correspond with you using an email address your e-mail address (optional)

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Confidential

Letter from residents of Whitehall Street and Love Lane Estate

Paul Bridge  
Chief Executive Homes for Haringey  
River Park House  
225 High Road  
London N22 8HQ

11 July 2010

Dear Paul,

We saw you at the meeting on Tuesday 7<sup>th</sup> July when you talked about Homes for Haringey and listening to residents concerns.

We are all tenants or lease holders living on Whitehall Street or on the Love Lane estate. We attended the meeting in order to raise concerns about the British Queen pub. We hope that you heard our views and concerns about the pub and the impact it is having on our lives. As we mentioned at the meeting, lots of residents have complained to the council and the police for many years. However, no real action has been taken to date to address our concerns.

Over the last few months, before going to complain to Cllr Amin, the problems have been terrible and are getting worse. The problems include:

- Fighting and incidents close to the pub. We understand there is criminal activity at the pub which the police are aware about.
- Pub is open till the early hours of the morning with lots of noise, loud music, shouting etc.
- The pub holds events which are obviously for too many people, and customers stand outside and around the pub, drinking etc. Recently the pub put tables and chairs outside encouraging people to drink outside which has caused disruption in the area.
- Bottles, glasses and rubbish thrown across the street.
- People drinking, fighting, arguing, shouting and swearing in the street. Local residents feel intimidated about complaining about them or challenging them.
- Customers, sometimes drunk, hanging outside the pub.
- People urinating in the street or being sick with no action taken.
- Young men standing outside the pub while lots of cars speed up to them, stop and talk, and drive off.
- Local cars have been damaged with windows broken and there is other vandalism going on.

As your tenants or as leaseholders, we would be grateful if you could help us address this problem.

Best wishes and we look forward to hearing from you.

**Love Lane Resident's Association**  
**Residents Meeting**

**Tuesday**  
**6<sup>th</sup> July 2010**  
**7:00 - 8:30pm**

**Grace Whitehall Community Centre**  
**Whitehall Street,**  
**London**  
**N17 8BP**

**1.0 Minutes and Matters arising**

The minutes of the previous meeting were accurate no changes made. Also no further movement on the dog issues and what to do with the green areas.

**2.0 Paul Bridge CEO Homes for Haringey (HfH)**

Paul discussed the aims and roles of HfH and answered residents' questions. It was put to him that something should be done about the deterioration of the green space and the children's play area. He said that this was a good idea and he was happy to discuss this further

**3.0 British Queen Pub/ Anti Social Behaviour**

Sgt McPherson discussed the facts surrounding what was being done to prevent the antisocial behaviour from the pub. Problems discussed included late opening, noise, fighting and urination on a regular basis. However it was emphasized that not all anti-social behaviour issues in the area stem from the pub.

Residents discussed signing a petition which councillor Amin said she would facilitate. Daliah from the licensing agency discussed what action had been



taken and what residents could do. It was agreed unanimously by those present that they support the review of the license which was already in process.

#### 4.0 Lovell's - Decent Home Works

No representative from Lovell's came to answer residents questions, but issues were raised surrounding the security of the building as residents had seen adults and children on the scaffolding. Residents were unsure who is responsible for the security and who to report problems to as when they have called the Lovell's helpline they have been told to call the police. Action to clarify this and get information out to residents.

#### 5.0 World On Your Doorstep

It was decided that the World on Your Doorstep event will take place in August before the flower planting due to the scaffolding works on the balconies. The officers asked for volunteers on the day.

#### 6.0 Homes for Haringey Training

Sarah Vincent provided information to residents about HFH training. A survey of training needs went out to residents but there were few responses. Once a useful training session can be agreed this will take place in the community centre for all residents to go to free of charge.

#### 7.0 A.O.B

It was decided that the money for the balcony project would be used to improve the green areas we already have, because there is no access to the balconies while the scaffolding is up. It was agreed that we would use some of the money to buy the resident from Charles House a hose- he has put a lot of effort into maintaining the green areas and we would like him to be able to continue. He represents the community spirit we are looking for in our area and helps to make the place look nice. It was also decided that we would clear up the areas the surrounding the memorials for particular Les (his tree and the bench).

#### 7.1 Officers and management committee

No new officers elected or appointed.

**DIARY OF INCIDENTS (BRITIH QUEEN)**

<b>DATE</b>	<b>TIMES</b>	<b>WHAT HAPPENED</b>	<b>IMPACT</b>
2/6/10	All evening	Loud music from British Queen	Difficult to sleep, have to keep windows closed
3/6/10	All evening	Loud music from British Queen	Difficult to sleep, have to keep windows closed
4/6/10	2030 hours until at least midnight	Loud music, front doors wide open, tables on pavement. Phoned LBH at 2030 hours (Ref 228737).	Slept in back bedroom, due to noise at front making sleep impossible.
19/6/10	1500 hours until past midnight	Loud music from mid afternoon, called LBH at 2200 hours (Ref 236344). Also people gathered by tables at front and lots of cars coming and going. Attended by Mr Buckle approx 2245 hours, then music got louder.	I was still hearing the music and shouting clearly through closed double glazed windows and closed (double) front doors so slept in back bedroom
26/6/10	2000 hours until past midnight	Loud music, people at front by tables, shouting, lots of cars coming and going. Called LBH at 2200 hours (Ref 239770)	Sleep in back bedroom eventually as no peace at front.
9/7/10	Approx 2000 hours until past midnight	Loud music and people congregated at front making a lot of noise. Possibly a fight in Love Lane. Called LBH at 2236 hours (Ref 246294). Attended by Mr Buckle approx 2330 hours.	Had to take round about route from station due to disturbances in Love Lane. Sleep in back bedroom eventually as no peace at front.
1/8/10	Through afternoon and on into evening, until at least midnight	Loud music, front doors of pub wide open, people shouting in street and urinating against cars on opposite side of Whitehall street. Children in and out of the pub all night. 2147 hours call LBH (Ref 259831). Not aware of outcome.	During afternoon, unwilling to walk along Love Lane due to crowds outside pub so take diverted route to/from station. Sleep with windows closed and using ear plugs, still disturbed in night. Had work on next day so tired.
13/8/10	Aware of	Loud music and doors of pub	Sleep in back bedroom





DIARY OF INCIDENT(S)

Your name:

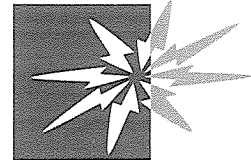
Your address

The review app the conditions (the actual closing times of the pub (how close), the amount of people seen loitering outside or drinking outside, cars coming and going, etc is vital to this process. It is therefore very important that you note any such incidences.

Date	Time	What Happened?
		At the late time and there so many drunken people and makes so much noise.
		They sometime through away alcohol bottles and swearing to the people.
is open		I'm a disable person and can't sleep without pills.
is open		The noise disturbing my daughter's life as well, she scares from them.
pub is		Also there are many times been fighting and were really <del>con</del> worry
that		about our safety.
while		We can't go to shop at the night because of safety.
there		while that pub is open we can't stay our home so comfortable
		Just we want from you close that "The British Queen" as quick as possible
		please. And we want more safer Tottenham!

# Notice of Application for the review of a Premises Licence

---



Haringey Council

Notice is given that application has been made to the Licensing Authority for a review of the premises license under s.51 and 87 of the Licensing Act 2003 in respect of the following premises:

**THE BRITISH QUEEN  
21 LOVE LANE  
TOTTENHAM  
LONDON N17 8HG**

The application for review has been made on the following grounds:

**THE OPERATION OF THE PREMISES HAVE FAILED TO UPHOLD THE LICENSING OBJECTIVES OF:**

- **THE PREVENTION OF CRIME AND DISORDER**
- **THE PREVENTION OF PUBLIC NUISANCE**

Interested parties or responsible authorities wishing to make representations must give notice in writing to:

**Lead Officer –Licensing, Haringey Council, Unit 271, Technopark,  
Ashley Road, Tottenham, London N17 9LN**

**By: 7<sup>th</sup> September 2010**

The grounds for review and Haringey Councils Licensing register may be viewed by appointment Monday to Friday (except Bank Holidays) at the Licensing Team, Unit 271, Technopark, Ashley Road, Tottenham, London N17 9LN between the hours of 10.00am and 4.00pm.

**IT IS AN OFFENCE LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£5000), UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**



2005-2006  
Getting Closer to Communities



INVESTOR IN PEOPLE

LICENSING ACT 2003  
Section 24

### PREMISES LICENCE

Receipt: AG754953

Premises Licence Number: LN/000003082

*This Premises Licence has been issued by:*

***The Licensing Authority, London Borough of Haringey,  
Technopark, Ashley Road, Tottenham, London N17 9LN***

Signature: .....

Date: 24<sup>th</sup> November 2005  
26<sup>th</sup> October 2009

#### Part 1 – PREMISES DETAILS

Postal Address of Premises or, if none, Ordnance Survey map reference or description:

**THE BRITISH QUEEN  
LOVE LANE  
LONDON  
N17 8HG**

Where the Licence is time limited, the dates:

Licensable activities authorised by the Licence:

Provision of regulated entertainment  
Sale of retail of alcohol

The times the Licence authorises the carrying out of licensable activities:

#### Sale of alcohol

Monday to Wednesday	1100 to 2300
Thursday	1100 to 0000
Friday & Saturday	1100 to 0100
Sunday	1200 to 2300

#### Regulated entertainment

Monday to Wednesday	1100 to 2300
Thursday	1100 to 0000
Friday & Saturday	1100 to 0100
Sunday	1200 to 2300
Christmas Day	1200 to 1500 and 1900 to 2230
New Years Eve	from the start of permitted hours on 31 December until the start of permitted hours on 1 January

LICENSING ACT 2003  
Sec 24

**The opening hours of the premises:**

Monday to Wednesday	1100 to 2330
Thursday	1100 to 0030
Friday & Saturday	1100 to 0130
Sunday	1200 to 2330
New Years Eve	from the start of permitted hours on 31 December until the start of permitted hours on 1 January

**Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:**

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

**Part 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:**

Admiral Taverns (58) Limited  
150 Aldersgate Street  
London  
EC1A 4EJ

**Registered number of holder, for example company number, charity number (where applicable):**

06077468

**Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:**

Dawn Fraser  
27 Nash House  
Prospect Hill  
Walthamstow  
London  
E17 3EW

**Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the Premises Licence authorises for the supply of alcohol:**

Personal Licence Number	ZO/N1718PER/1
Expiry Date	3 <sup>rd</sup> February 2019
Issued by London Borough Waltham Forest	



**Annex 1 –Mandatory Conditions**

**(2) Supply of alcohol:** No supply of alcohol may be made under the premises licence-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence,  
or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his  
personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made  
or authorised by a person who holds a personal licence.

## **Annex 2 – Conditions consistent with the Operating Schedule**

Following an assessment of the premises and its surrounding area, the following is proposed:  
30-minute “drinking up” time to allow appropriate dispersal, use of lavatories, etc.

In order to further the licensing objectives, the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and/or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

### **THE PREVENTION OF CRIME AND DISORDER**

- Illumination is provided to the exterior areas of the pub.
- All interior trading areas are visible to staff from behind the bar servery.
- A rota system is in place for checking the toilets/toilets checked regularly.
- The licensees/staff monitor customer behaviour, especially during busy periods.
- Burglar alarm system in place, secure windows.
- Toilets access is clearly visible from the bar.
- Drug prevention measures are employed and signs displayed. Drink drive posters on site.

### **PUBLIC SAFETY**

- Health and Safety policy in place and adhered to.
- The pub is equipped with emergency lighting.
- All portable electrical appliances are tested annually.
- There are current electric and gas certificates in place.
- A pest control contract is in place.
- The pub has first aid facilities.
- The pub promotes a licensed taxi service to facilitate its customers making onwards journeys.

### **THE PREVENTION OF PUBLIC NUISANCE**

- When required, staff organise taxis to transport customers home and customers are seen off the premises and encouraged to disperse at closing.
- Being a detached property, there are no adjoining neighbours.
- The fact that this public house is a detached property assists in minimising noise transfer to neighbours.
- We are gradually phasing out standard glasses and replacing with toughened glasses
- The pub has a lobbied entrance which reduces noise emission. Cellar cooling condenser is positioned in an area so as not to cause nuisance to neighbours.

### **THE PROTECTION OF CHILDREN**

- Unaccompanied children are not permitted on the premises and all children are not permitted after 8PM.
- The outside area is completely enclosed and accessed through the Lounge Bar.
- AWP is positioned in sight of the Bar counter.
- The Cigarette machine is in close proximity to the bar counter and therefore easily observed.

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**Annex 4 – Plans**

LODGED WITH LICENSING AUTHORITY

APPENDIX 2  
COMMENTS OF METROPOLITAN  
POLICE



Your reference:

Our reference:

Date: 23 August, 2010

**Metropolitan Police Service**

Ms D.BARRETT  
ENVIRONMENTAL CONTROL SERVICES  
TECHNO PARK  
ASHLEY ROAD  
TOTTENHAM N.17

*Licensing*  
**Quicksilver Patrol Base  
Western Road  
Wood Green  
N.22 6UH**

Tel: 0203 – 276 -0150

Dear Ms. Barrett

**Re:- Review of British Queen Public House, Love Lane N.17:-**

With reference to the above Police wish to make the following representation under the Prevention of Crime & Disorder objective.

**Prevention of Crime & Disorder objective.**

Please see attached statement from Sergeant Macpherson the officer responsible for Northumberland Park Ward in which the British Queen is situated.

Yours Sincerely

  
Geoffrey Parker

Licensing

Quicksilver Patrol Base

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of James MacPherson

[Empty boxes for address or contact details]

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Sergeant 21 / 175591

This statement (consisting of: .... 7..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Handwritten signature] P589R

Date: 17th August 2010

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

I am the Sergeant for Northumberland Park Safer Neighbourhood Team in Tottenham. Licensed premises on my ward include the British Queen Public House Love Lane N17.

I have been asked to provide a statement in relation to an application for the Review of a Premises Licence in relation to the British Queen PH.

Several months ago a pub near Ducketts Common at Turnpike Lane closed. Very quickly it became evident that the Irish travellers who had frequented that pub were starting to use the British Queen.

I have examined calls to Police from the beginning of April to the end of July 2010. I have only regarded calls from inside the pub itself, calls to incidents immediately outside the British Queen or calls relevant to incidents directly linked to the premises. I have disregarded calls in the general area, close to or where there is no information linking an incident to the pub or people coming from the pub.

In the timescale mentioned there have been thirty calls to Police. Four were between 9 and 10pm, one between 10 and 11pm, four between 11pm and midnight, eight between midnight and 1am, six between 1am and 2am and five after 2am. A further two calls were between 7pm and 8pm. Calls are spread across all days of the week with early hours of a Wednesday as frequent as a Friday or Saturday. All of

Signature: [Handwritten signature] Signature witnessed by: .....

RESTRICTED (when complete)

Continuation of Statement of JAMES MACPHERSON PS 84R

these calls specifically refer to white people, almost always males but with some calls referring to females being involved. One of three arrests at the location is of a female for public order and assault on Police. One call specifically refers to Irish and Polish fighting. Fifteen of the calls refer to Irish travellers. Group size varies from 5 or 6 to 20 plus to 40 to 50 and on one occasion reported by a Council official of over 100 attending an event.

Of the traveller events Police were called to, one was a wedding, one a wake and a third a christening.

Sixteen calls reported fighting, eight referred to disturbance, twelve made reference to inside the premises and four refusing to leave the premises. Two calls reported theft inside the premises. Three assaults were reported, two of them on staff which were not substantiated. Staff originated nine of the calls.

Two overnight burglaries at the pub were reported during this period.

Eight of the calls specifically mentioned the use of glasses or bottles during fights or disturbances.

I have attended meetings of Residents Associations, Neighbourhood Watch, Ward Panel and Area based Working Groups. These have been attended by tenancy management, ward councillors and LBH Anti Social Behaviour Team. A recurring theme has been the ongoing problems being caused by patrons from the British Queen late at night.

I have liaised with the owners of the pub Admiral Taverns who have informed me of their plans to take Mr Davis to County Court to obtain an eviction. Proceedings were due to take place on 6th of August but are now pushed back to the end of October.

Although close to Tottenham High Road, this pub is immediately adjacent to a large number of

Signature: *James MacPherson*  
PS 84R

Signature witnessed by: .....



Continuation of Statement of JAMES MCDONALD PS 84R

residential blocks of flats, some of which directly overlook the front and side of the pub.

Night time policing in Haringey is generally busy and an immediate response is not always available. Residents get annoyed and angry at what they perceive as a lack of Police response to their calls. When officers do arrive there is usually a dispersal which for that occasion resolves the incident but not the ongoing problem. As the figures show almost all of the reports are directly linked to fighting and arguing inside and outside the British Queen.

**Cad 517 of 6th April at 01.24.** "People are fighting in the British Queen bar" Police responded 01.34 "This is a group of travellers at location. There is no one fighting. They are making their way towards the High Road. May get further calls".

**Cad 12712 of 9th April at 23.37.** Informant was ringing her son who was at a wedding in the pub. She heard women screaming over the phone and bottles flying and lots of disturbance in background. Women screaming "Don't do that! Don't do that"

It is an Irish traveller wedding. Police response at 23.57 They were a group of boisterous travellers who had moved off. No offences.

**Linked Cad 12749 of 9th April at 23.40.** There is a fight. All white males, about 5 of them.... 2 females are asking them to stop. The males are in their 20's 2 very angry men and they are fighting.

**Linked Cad 8 of 10th April at 00.00am.** Two males fighting at location. Police were just there regarding same males. They have each other in a headlock.

**Cad 273 of 19th April at 00.38.** Caller has a group of around 45 travellers in his pub and they are declining to leave. They are partaking in a wake at the PH and have been there since 5pm. Caller has asked them to leave and they have declined to do so and are carrying on drinking. They are not rowdy or violent and the group comprises around 30 women and around 10 -15 males.

**Linked Cad 327 of 19th April at 00.46.** 4 men fighting outside the venue. Informant watching from her flat, believes they are Irish men. Police response at 00.50. It is all quiet outside the pub at the moment making enquiries with the licensee. Approximately 40 travellers at location. Staff have stopped serving. Pub is closed however approximately 40 drunken travellers hanging about outside. Nowhere to move them on at present.

Signature:

*James McDonald*  
PS 84R

Signature witnessed by: .....

Continuation of Statement of

JAMES MACPHERSON PS 84R

**Cad 1394 of 1st May at 02.39.** Informant states more than 10 males fighting at location. Suspects are all white males approximate age 20s. Police response at 02.48 All quiet on Police arrival. No offences.

**Cad 668 of 5th May at 02.12.** Female requested police, shouting heard. Unknown what was going on. Caller spoke to female who is staff at location. A male has touched her breasts. Male is Irish, approximately 40 years wearing a black cap and beige cardigan. With other Irish males. Police response at 02.23. Persons have left location. Female does not want to know. No offences. She has signed pocket book to that effect.

**Linked Cad 692 of 5th May at 02.19.** Female trying to cancel police to above call.

**Cad 10827 of 26th May at 21.06.** customer has jumped behind the bar and taken a bottle of drink, refusing to return it.... Dispute over change he was given which his friend picked up.... Disturbance pending.

Believed suspect left scene. Unable to get through on phone to informant (landlord). No unit to deal. Referred to TIB (telephone reporting). Unit attends 14.32 on 27th No allegation made.

**Cad 10503 of 6th June at 21.49.** Six males fighting and refusing to leave- pub has been closed. Police response at 21.56 This is travellers. We have managed to get the males out in the street. They may be fighting amongst themselves. 22.13 One male arrested S.4 ( public order offence). Further arguing in pub and removed. Further arguing and square up to each other - followed by Police to High Road.

**Linked Cad 10520 of 6th June at 21.50.** 6 IC1 - white eastern Europeans are drunk and forced door. Owner is shouting "Don't do this"

**Linked Cad 10522 of 6th June at 21.50.** 8 boys fighting first outside the pub and now gone inside. Informant says they are the same boys every night. 2 nights ago they were so drunk and smashed all cars. Pub has shut and they were cleaning but boys forced entry.

**Cad 492 of 7th June at 01.10.** Fight at location, cannot see, only hear, I can hear a male shouting. Police response at 01.40. area searched no trace.

**Cad 544 of 9th June at 01.20.** Drunk persons are coming out of the pub- there is a fight in progress 8-9 persons. Smashing car windows as well. Have bottles in their hands. Suspects are males irish and polish

Signature:

*James MacPherson*  
PS 84R

Signature witnessed by:

.....

RESTRICTED (when completed)

Continuation of Statement of JAMES MASHHERSON P584R

people involved. Police response at 01.26. premises are closed... few still milling about. Irish travellers talking loudly and messing around in the street, all drunk. All asked to leave the area. No offences. Linked Cad 555 of 9th June at 01.22. large group of travellers are coming out of the pub in a drunken manner ...thinks a fight will occur... lots of pushing shoving and shouting.

**Cad 323 of 15th June at 00.50.** A group of Irish travellers are in the pub refusing to leave and have kicked off on one of the staff. The disturbance can be heard. Police response at 01.35. No offences, no cause police action.

**Linked cad 330 of 15th June at 00.52.** Fight going on between Irish.

**Cad 814 of 25th June at 01.50.** Male request for Police. Disturbance heard. Operator calls back. Male states that they have problems with a group of youths and 2 females are fighting. Unable to get further details as a very large disturbance in the background. Police response at 02.12 A van please - a female coming in for drunk and disorderly. Arrest for assault on police.

**Cad 12453 of 29th June at 22.55.** There is a disturbance coming from the pub fighting and shouting. Operator. Disturbance heard in the background. Police response 23.08 no fighting going on. Approximately 70 travellers at location. Due to previous knowledge there could be a possible disturbance in 1 hour's time

**Linked Cad 193 of 30th June at 00.16.** Informant wants to make complaint re noise coming from the pub... referred to Environmental Health.

**Linked Cad 576 of 30th June at 00.57.** 20+ drunken males have come out of local pub and are now street fighting. Some have bottles. IC1 Irish males approximate age 20 -40 casual clothes. Police response at 01.08 No fight, all good natured, we will be leaving the scene.

**Linked Cad 978 of 30th June at 01.50.** Informant is a Haringey Council Enforcement officer. He has responded to calls from the public regarding nuisance being caused at the location. The pub itself is closed but there are 100+ people outside the location causing a disturbance. Asking for police assistance in dispersing them. Police response at 02.00 travelling fraternity at location, drove past 10 minutes ago... good natured people, haven't caused any major problems tonight. 02.01 Road is now empty.

**Cad 1137 of 2nd July at 02.24.** There is a bad disturbance at location. The pub is locked up now..

Signature:

*James Mashheron*  
P584R

Signature witnessed by: .....

RESTRICTED (when completed)

Continuation of Statement of *James MacPherson* JAMES MACPHERSON  
PS84R

then female started shouting "He's going to hit your car". Call cleared. Police response at 02.31. Members of the travelling community at the location. There has been some sort of dispute over money with the landlord at the location. They have gone to get their money back, but this is a civil dispute, that's all. Drunken travellers in dispute with staff regarding lost money. No offences, no allegations. All parties left the scene.

**Cad 9760 of 4th July at 19.14.** Fight pending at location. There has been a christening. 20+ males some armed with bottles threatening occupiers of the PH. Police response at 19.17. 10 travellers outside. All calm at present. No security at PH Suspects have tried to gatecrash. No injuries, just raised voices. All quiet ... will monitor situation. 19.21 30-40 travellers at location. Landlord has served and now wants Police to empty location.

**Linked Cad 9864 of 4th July at 19.24.** There are 20 odd Irish men outside and are causing a disturbance and starting to fight now. They are fighting. People inside the PH can't leave or go out. 19.30 (Duty officer) Landlord has been warned- he chooses to be the only pub in Tottenham to serve travellers. We will reconsider attendance if independent witnesses from locality call. Please downgrade. 19.59 All quiet 5 minutes ago.

**Cad 13704 of 10th July at 23.31.** informant states there is a massive fight at location with bottles being used. Police response at 23.34 60-70 members of the travelling community... not fighting but very heated. Advise units -speak to landlord - Roger- has been assaulted. 23.41 no offences to cause Police action. One unit to remain while crowd disperses.

**Linked Cad 13756 of 10th July at 23.33.** landlord calling -male in bar kicking off throwing glasses around and punched me. Medical aid declined. Male shouting in background.

**Cad 486 of 21st July at 00.55.** Caller landlord - have locked the doors.. 7 guys have broken their way in.... they have alcohol with them.. they are refusing to leave. They barged their way through the door ... and pushed me out of the way... there are now about 25 of them. Police response at 01.14. persons all removed from the public house.

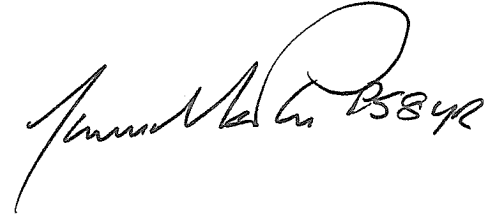
**Linked Cad of 21st July at 02.06** Caller LBH Noise enforcement - I have had several calls regarding noise nuisance from the above location. I believe travellers are causing problems at that location and causing a disturbance. I have yet to attend the location, can a unit attend to see if everything is ok. Police

Signature: *James MacPherson* PS84R Signature witnessed by: .....  
2003(1)

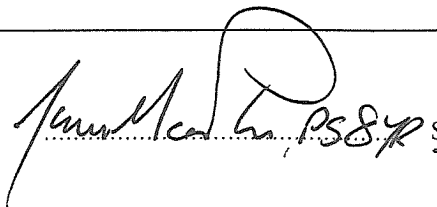
RESTRICTED (when completed)

Continuation of Statement of JAMES MACPHERSON P584R

response at 02.20. all people in the pub have left the area prior to Police arrival. No offences.



Signature:



Signature witnessed by: .....

**Witness contact details**

Home address: .....  
..... Postcode: .....

Home telephone number ..... Work telephone number .....

Mobile/pager number ..... Email address: .....

Preferred means of contact: .....

**Male / Female**-(delete as applicable) Date and place of birth: .....

Former name: ..... Ethnicity Code (16+1): ..... Religion/belief: .....

**Dates of witness non-availability 24.9.10 to 4.10.10**

**Witness care**

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? **No.** If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes  No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: ..... Print name: .....

Signature of parent/guardian/appropriate adult: ..... Print name: .....

Address and telephone number if different from above: .....

**PS 8 YR 21 / 175591 James**

Statement taken by (print name): **MacPHERSON** ..... Station: **Northumberland Park SNT**.....

Time and place statement taken: .....

**RESTRICTED (when complete)**

MG 11 (T)

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **MARK HEMBURY**..... URN: 

--	--	--	--

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 184810** .....

This statement (consisting of: .... **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: *Mark Hembury Inf. R.*..... Date: 23/9/2010.....

Tick if witness evidence is visually recorded  (supply witness details on rear)

On Thursday 23rd September 2010 at approx. 0040 hrs, as a response to a call received over my personal radio, CAD 286 refers, I made my to The British Queen Public House, Love Lane, Tottenham N17. On my arrival at approx. 0042 hrs, I saw approx. 15 persons stood outside the premises, talking to one another - some appeared to be drinking from assorted bottles. I entered the premises, and saw approx. 40-50 persons inside, a mixed group of males and females, many seated, others standing. I saw a male I know as Roger Davis, the manager of the premises. He was attempting to make persons leave the premises, without any success. I spoke to him, and asked him what had occurred. He said "They won't leave - I want them out" I said to him "What time should you have closed?" He said "Eleven O'clock, well eleven thirty." I said "But its now a quarter to one." He said "But I've been trying to make them leave since eleven. Some of them have brought their own drinks in." Looking around, I could see that all those present appeared to be from the Travelling Community. Most of those present were consuming intoxicating liquour. Many were drinking from various branded bottles, others had full pints of lager or bitter. I instructed officers present with me to start in clearing the premises. As I assisted them, it became apparent that many of those present were drunk - demonstrating slurred speech with a strong smell of intoxicating liquour, eyes glazed and unsteady on their feet. Many were arguing with one another and voices were raised. Those present slowly began to leave, under constant pressure to do so from myself and other officers. Some attempted to take their drinks with them, with one male in particular objecting saying "I've only just bought it." I had personally seen no evidence of sale whilst present. After about 10-15 minutes, the premises were clear and I attempted to speak to Roger Davis. I started to point out a number of breaches of his licensing conditions, but was interrupted, as Mr Davis began waving his arms and shouting, saying "I'm just trying to run a business, its not my fault." When asked why he hadn't called Police earlier, he said "I've just called you haven't I? If I had called at nine o'clock, you would have accused me of over-reacting." I was disappointed, not only by the way in which I was being addressed, but also by the attitude taken by Mr. Davis, who appeared unwilling to accept any responsibility for the problems at his premises. When I explained that I would be submitting a statement

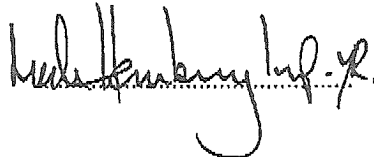
Signature: *Mark Hembury Inf. R.*..... Signature witnessed by: .....

RESTRICTED (when completed)

Continuation of Statement of **MARK HEMBURY**.....

regarding what I had found, he said "you've just got it in for me." I then left the premises, with other officers monitoring the group of travellers, who were now milling around the immediate area of the premises.

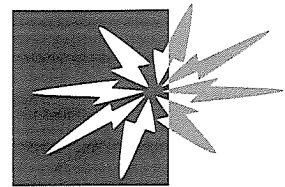
Signature:



Signature witnessed by: .....



APPENDIX 3  
COMMENTS OF ENFORCEMENT  
RESPONSE (NOISE TEAM)



**Haringey** Council

## Licensing Consultation

To: Licensing Officer

From: Enforcement Response (Noise)

Officer preparing representation: Derek Pearce, Team Leader Enforcement Response

Our Ref: WK166942

Date: 3<sup>rd</sup> September 2010

Premises: The British Queen, 21 Love Lane, N17 8HG

I confirm that The Enforcement Response Team have been notified about the Review request by Mr David Clark, Homes for Haringey, in regard to the Premises License at the above premises and wish to make representation in regard to the Licensing Objective: Prevention of Public Nuisance

The Licensable activities authorised by the current Licence are Provision of regulated entertainment & Sale / sale of alcohol for consumption ON the premises

The holder of the Premises Licence is noted as Admiral Taverns (58) Limited & the designated premises supervisor as Ms Dawn Fraser

It has been noted during recent visits to the premises that a Mr Roger Davis has been the person taking responsibility at the premises for management and is believed to have a lease on the premises.

We consider that the current operating schedule does not fully address the prevention of public nuisance from:

- airborne entertainment noise
- Noise generated by patrons in external areas of the premises
- Noise from patrons exiting the premises
- Noise generated from deliveries
- Noise generated from refuse collections
- Noise from plant and machinery
- Light nuisance
- Cooking odour
- Litter nuisance

The existing license has the following conditions relating to Prevention of Public Nuisance

- When required, staff organise taxis to transport customers home and customers are seen off the premises and encouraged to disperse at closing.
- Being a detached property, there are no adjoining neighbours.
- The fact that this public house is a detached property assists in minimising noise transfer to neighbours.

- We are gradually phasing out standard glasses and replacing with toughened glasses
- The pub has a lobbied entrance which reduces noise emission. Cellar cooling condenser is positioned in an area so as not to cause nuisance to neighbours.

### Supporting Information

There is a history of complaints being made about noise from these premises

On 20<sup>th</sup> February 2009 the duty officer visited and identified that there was music playing at the premises which was likely to disturb neighbours and a warning was issued

It was identified that the premises on Monday 13<sup>th</sup> April 2009 at 23.20 hrs were being used for regulated entertainment which was outside the permitted times under the license. In addition there was noise from the premises which was likely to disturb neighbours

On 20<sup>th</sup> June 2009 a noise enforcement officer, accompanied by a Police Officer, visited the British Queen in response to a complaint that there was noise from the premises and that there was regulated entertainment taking place outside permitted hours.

I have attached copies of the statements made by the noise enforcement officer, (Lamin Tamba) and the Police Officer, Sam Elikwu about the events of that night.

Any alleged offences described in the statements were dealt with by way of a warning rather than proceeding to prosecutions in the Magistrates Court but the statements are attached to form a part of our representation to indicate the poor management of the premises and the inadequate response by management to address noise and other issues and also the inadequate response to visiting enforcement officers.

If the sub-committee were to permit the premises License to continue then we would recommend the following alterations, additional conditions to the operating schedule:

#### **Operating hours**

That regulated entertainment ceases at midnight (or such earlier time as the committee may view to be appropriate) to ensure that local residents are not disturbed by noise from music playing at the premises

#### **Conditions**

We consider that the existing conditions are not comprehensive enough to protect local residents due to the close proximity of residential dwellings. Noise caused by patrons exiting the premises and locating suitable transport home is likely to be detrimental to the residential amenity unless effective management is exercised by the management.

If the licensing committee were to consider it appropriate to impose additional conditions then the following are suggested

#### **Prevention of nuisance from noise / vibration**

All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open.

A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Adequate and suitable mechanical ventilation should be provided to public areas.

Entry to the premises will be restricted to the main entrance whilst the premises is being used for regulated entertainment licensed activity.

The regulated entertainment licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.

### **Sound limits**

The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.

All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.

The level of amplified regulated entertainment shall be controlled by means of limiting device set at a level which upon request may be agreed with the licensing authority.

### **Outside Areas**

No music will be played in, or for the benefit of, patrons in external areas of the premises

No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises

Signs shall be displayed in the external areas/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours and they must be seen to exercise that right.

The external area / frontage will be closed and patrons requested to come inside the main structure of the premises at 10pm.

### **Deliveries and collections.**

Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed

### **Plant and machinery**

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise

### **Dealing with complaints**

A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers

Regular liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities

**Patrons entering/exiting premises.**

Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner

**Prevention of nuisance from litter**

Adequate receptacles for use by patrons will be provided in the local vicinity. The positioning of the receptacles will be agreed with the licensing officer

**Prevention of Nuisance from Odour**

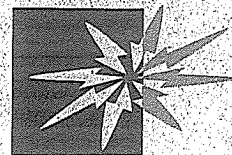
All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour

**Prevention of nuisance from light**

Illuminated external signage shall be switched off when the premises is closed

Security lights will be positioned to minimise light intrusion to nearby residential premises

Enforcement Response  
Enforcement Service, Lee Valley Technopark, Ashley Road, Tottenham, London N17 9LN  
Tel: 0845 0550921 Email: mailbox.noiseteampublic@haringey.gov.uk  
www.haringey.gov.uk



Director Urban Environment Niall Bolger  
Assistant Director Enforcement Service Robin Payne

Haringey Council

Date: 20 February 2009

To request a large print or translated copy call 0845 0550921

Environmental Protection Act 1990: Noise Nuisance

Address: BRITISH QUEEN PUB, LOVE LANE N17

Type of noise: LOUD MUSIC

You have received this letter because a Haringey Council Noise Enforcement officer has witnessed noise from your premises.

The Council has a duty to investigate complaints regarding disturbance caused by noise.

An investigation, in response to a complaint, carried out on 20/2/09 at 2015 hours, confirmed that noise coming from your premises was excessive.

The Council does not wish to restrict any private and reasonable activities.

However, it does have a duty to ensure that all residents can enjoy a reasonable degree of privacy and freedom from disturbance by noise within their own homes.

The Council must serve an Abatement Notice under Section 80 of the Environmental Protection Act 1990 in cases of persistent or severe noise nuisance. The effect of an Abatement Notice is to prohibit noise nuisance occurring or recurring, and it is an offence not to comply with such a Notice for which the maximum penalty on conviction is £5,000 (£20,000 in respect of commercial premises). It is requested that you co-operate by keeping the volume of sound produced in your premises at levels that do not cause noise nuisance in order that formal action by the Council does not become necessary.

Enforcement Response  
(Out of hours) team



2005-2006  
Getting Closer to Communities



INVESTOR IN PEOPLE

This relates to noise nuisance. If you want this in your own language please tick the box, fill in your name and address and send to the Freepost address below. A noise control customer charter is also available.

**Albanian** 

Kjo ka të bëjë me bezdinë nga zhurma. Nëse e doni këtë në gjuhën tuaj, ju lutem shënjoni  kutinë, plotësoni emrin dhe adresën tuaj dhe dërgojeni tek adresa e mëposhtme me Postim Falas. Statuti i klientëve mbi kontrollin e zhurmës është gjithashtu në dispozicion.

**Kurdish** 

Ev li ser acizîya dengzarîyê ye. Heke hun wê bi zimanê xwe dixwazin, ji kerema xwe qutîkê îşaret bikin, nav û navnîşana xwe binivîsin û ji navnîşana posta bêpere ya jêrîn re bişînin. Peymaneke mişterî ya kontrola dengzarîyê jî peyde dibe.

**Bengali** 

এই প্রচারপত্র অতিরিক্ত শব্দজনিত উপদ্রব সম্পর্কে। আপনি যদি এটা আপনার নিজের ভাষায় পেতে চান তাহলে বাঁক্রে টিক্ চিহ্ন দিন, আপনার নাম ও ঠিকানা লেখার জায়গা পূরণ করুন এবং নিচের ফ্রীপোস্ট বা বিনা ডাকমাংশলের ঠিকানায় পাঠিয়ে দিন। শব্দের মাত্রা নিয়ন্ত্রণের একটা কাস্টমার চার্টার বা খরিদারদের সনদও পাওয়া যায়।

**Polish** 

Informacje tu zawarte odnoszą się do zakłóceń wynikających z hałasu. Jeżeli chcesz je otrzymać w twoim własnym języku, zaznacz kwadracik, napisz swoje imię i adres i wyślij pod znajdujący się poniżej adres bezpłatny. Dostępna jest również kontrolująca hałas karta klienta.

**French** 

Ce document concerne les nuisances sonores. Si vous souhaitez l'obtenir dans votre langue, veuillez cocher la case, compléter votre nom et adresse et le renvoyer à l'adresse au port payé ci-dessous. Un charte des clients relative aux nuisances sonores est aussi disponible.

**Romanian** 

Acest document are ca subiect Deranjul Locatarilor Zgomotul. Dacă doriți să vă fie tradus în limba dvs vă rugăm, bifați căsuța, completați-vă numele și adresa, si trimiteți-l la adresa gratuită de mai jos. Vă putem pune la dispoziție și Drepturile Clientului cu privire la Controlul Zgomotului.

**Greek** 

Το έντυπο αυτό αφορά την ενόχληση από το θόρυβο. Αν το θέλετε στη δική σας γλώσσα παρακαλούμε σημειώστε το τετράγωνο, συμπληρώστε το όνομα και τη διεύθυνσή σας και στείλτε το στην πιο κάτω διεύθυνση χωρίς ταχυδρομικά. Διατίθεται επίσης η χάρτα πελατών για τον περιορισμό του θορύβου.

**Somali** 

Qoraalkan waxa uu ku saabsan yahay dhibaatooyinka laxidhiidha buuqa iyo sawaxanka. Haddii aad jeceshahay in lagu soo diro asaga oo ku qoran afkaaga hooyo, fadlan calaamadee sanduuqa buuxina foomka kadibna dib ugu soo dir cinwaanka hoos ku xusan. Waxaa hale ood heli karataa qoraalka axdiga xakamaynta buuqa.

**Gujarati** 

આને ઘોંઘાટના ત્રાસ- પજવાણી સાથે સંબંધ છે. જો તમને આ તમારી પોતાની ભાષામાં જોઈતું હોય તો, કૃપા કરી બોક્સમાં નિશાની કરી, તમારું નામ અને સરનામું ભરી, અને નીચેના ફ્રીપોસ્ટ સરનામે તે મોકલો. ઘોંઘાટના અંકુશવાણુ કસ્ટમર ચાર્ટર પણ મળી રહેશે.

**Turkish** 

Bu, gürültü yaparak rahatsızlık verme konusuyla ilgilidir. Bunu kendi dilinizde edinmek istiyorsanız lütfen kutuyu işaretleyip adınızı ve adresinizi yazarak aşağıdaki ücretsiz posta adresine gönderin. Gürültü denetimi ile ilgili müşteri bildirgesi de mevcuttur.

Please tell us if you would like a copy of this policy in another language that is not listed above or in any of the following formats, and send the form to the Freepost address below.

Large Print  Disk  Audio tape  Braille

Other language (please specify): \_\_\_\_\_

Name: \_\_\_\_\_

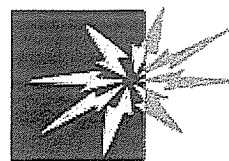
Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Please return to: Freepost RLXS-XZGT-UGRJ, Haringey Council, Translation and Interpreting Services, River Park House, 225 High Road, London N22 8HQ

**Enforcement Response – Frontline Services**

Units 271-272, Lee Valley Technopark, Ashley Road, Tottenham, London N17 9LN  
Tel: 020 8489 1284  
Fax: 020 8489 5133  
www.haringey.gov.uk



Director of Urban Environment - Niall Bolger  
Assistant Director - Frontline Services – Beverley Taylor

**Haringey Council**

The British Queen,  
21, Love Lane,  
Tottenham,  
London,  
N17 8HG

Your ref: UE/ENF/WK/000116662

Date: 15th April 2009

Contact: Enforcement Response  
Team

Direct 020 8489 1000  
dial:

Email: Enforcement.response

**Warning Letter: Licensing Act 2003**

Address The British Queen, 21 Love Lane, Tottenham, London, N17 8HG

It has been identified that the above premises on Monday 13<sup>th</sup> April 2009 at 23.20 hrs were being used for regulated entertainment which is not permitted under any current license. A copy of your current license is attached. You are warned that this practice must cease. Regulated entertainment includes but is not restricted to playing recorded music above background level, live music and karaoke.

It is an offence under section 136 of the Licensing Act 2003 if a person

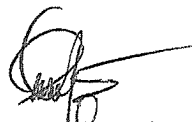
- (a) carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation or
- (a) he knowingly allows a licensable activity to be carried on.

You should familiarise yourself with the activities permitted under any current License & such unauthorised use of the premises must cease immediately.

No further warnings will be issued. This Authority may seek to prosecute if future unauthorised activity is identified. It is in your own interest to ensure that you are complying with the licensing laws. If any of the above is unclear or you require further clarification please contact the Licensing Lead Officer on 020 8489 8232.

Yours sincerely

Charles Buckle  
Enforcement Response Team

LI/1  27/10/09

If you have used the service in the past and would like to comment about the service you received, please complete our online survey <http://www.haringey.gov.uk/enforcementconsultations>



RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of SAMUEL ELIKWU PC465YR..... URN: [ ] [ ] [ ] [ ]

Age if under Over 18 ..... (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of: .... 3..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Signature] Date: 25th June 2009 .....

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

This statement concerns my visit with a Haringey Environmental Health Officer to the BRITISH QUEEN Public House which is situated in LOVE LANE TOTTENHAM N17.

On Saturday the 20th of June 2009 at about 0410hrs, I was on duty in plain clothes and in company with Mr. Lamin TAMBA, a Haringey Council Environmental Health officer. We attended the British Queen Public House following complaint from a local resident about high level of noise from there.

Upon our arrival, I noticed groups of people leaving the Public House on foot and majority of these were walking to their respective vehicles parked in streets in the vicinity of the premises.

At approximately one hundred metres from the Public House, I could hear the sound of music from the premises, although it was not loud but combined with the noise made by people leaving the venue and the time of the day, the noise radiated seemed louder.

When we got to the front door of the premises we identified ourselves to the two black male standing at the door. I said to both male "Are both of you door supervisors employed by the Licensee for the night?" Both male answered "Yes".

I noticed that the two door supervisors were not wearing their respective SIA badge. When questioned about this, one stated that he has not got his as he had come straight there from his other place of employment. The other stated that he has got his and will bring it out to show us. However this did not materialise before we left the premises at about 0447hrs.

Whilst speaking to the door supervisors, people were going in and out of the premises. Some actually came out of

Signature: [Signature] Signature witnessed by: .....

RESTRICTED (when completed)

Page 2 of 2

Continuation of Statement of PC46542 SAMUEL FLIKWU

the premises with their beer bottles in their hands from which they drank as they gathered around us.

Mr. TAMBA then said to the door supervisors "We will like to see the Licensee". One of the door supervisor said, "You wait here and I will go and get him". Mr. TAMBA said, "We want to come in and speak to him". The aforesaid door supervisor ignored the latter statement and went straight into the premises. We tried to follow him inside but he quickly closed the door and locked it from inside. Shortly after the door supervisor had gone inside, the music was turned down completely.

After five minutes had elapsed, the door supervisor came out with the Licensee, a man whom I know from previous encounter to be Mr. Roger DAVIES. Mr. TAMBA said to him, "Do you have a license to open this late?" DAVIES said "Yes" and with this directed our attention to a notice stuck onto one of the windows on the premises. On closer examination of this notice, it transpired that it was merely a copy of his application to the Courts requesting an extension of his opening hours to 0500hrs. Mr. TAMBA explained at length to DAVIES that his current license allows him to open until 0100hrs and that he had violated his license by operating beyond this time. DAVIES then stated that he had applied for a variation of his license and had thought that this allowed him to open until 0500hrs. Mr. TAMBA then explained to him that the current closing time of 0100hrs applies until his application has been approved for extension of hours by the Court.

DAVIES became infuriated and started to shout and swear, stating that all he wanted to do was to try and earn a living. At this point I advised DAVIES to calm down and stop shouting and swearing. I also warned him that should he continue in the aforesaid manner, I will have to arrest him for Public Order Offence. DAVIES refused to produce a master copy of his License upon request by Mr. TAMBA. He also refused to have further discussion with us.

At this point a female DPS came out and assisted in calming DAVIES down before having a discussion with Mr. TAMBA.

Mr. TAMBA then informed DAVIES that he will be submitting a report about this incident to the Borough Licensing Officer.

At this point, I noticed that the Public House was empty and most of his customers had gone home.

We then left the venue at about 0447hrs.

Signature: [Signature] PC46542 Signature witnessed by: .....

**LONDON BOROUGH OF HARINGEY**  
Urban Environment

Ref: EU/ENF/WK 124506  
Premises: The British Queen Public House, 21 Love Lane,  
London, N17  
LBH v Ms Dawn Fraser and Mr Roger Davis

Date(s) of Offence(s): 20 June 2009

**STATEMENT OF WITNESS**

Criminal Procedure Rules 2005 r27.1(1)  
(Criminal Justice Act, 1967, Section 9;  
Magistrates' Court Act, 1980

Statement of: : **Mr LAMIN TAMBA**  
Age of Witness: : **OVER 18**  
Occupation of Witness: : **ENFORCEMENT OFFICER**  
Address: : **TECHNOPARK, ASHLEY ROAD, TOTTENHAM  
LONDON, N17 9LN**  
Telephone Number: : **020 8489 1000**

This Statement, consisting of 2 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

DATED: 26 October 2009

Signed:  .....

1. I am an Enforcement Officer employed in the Frontline Services of the London Borough of Haringey. My duties include the enforcement of the Statutory Nuisance Provisions of the Environmental Protection Act 1990, and enforcement of the provisions of the Licensing Act 2003.
2. I was on duty from 22:45 hrs on Friday 19 June 2009 until 10:30 on Saturday 20 June 2009.
3. At 03:39 a call was received via text message on a mobile phone about noise nuisance alleged to be coming from **The British Queen, 21 Love Lane, Tottenham, London, N17**. The Premises was also alleged to be operating regulated entertainment outside the terms of a valid regulated entertainment licence.
4. At 03:44 hours I telephoned the complainant who confirmed that regulated entertainment was still occurring. I then proceeded to **Love Lane, Tottenham, London, N17**.

Signed: 

**LONDON BOROUGH OF HARINGEY**  
Urban Environment

Ref: EU/ENF/WK 124506  
Premises: **The British Queen Public House, 21 Love Lane,  
London, N17**  
LBH v Ms Dawn Fraser and Mr Roger Davis

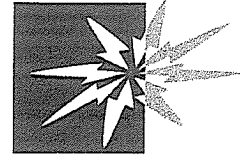
Date(s) of Offence(s): 20 June 2009

Continuation of Statement of: **LAMIN TAMBA**

5. At 04:10 I arrived at Love Lane, where **The British Queen Public House** was situated. The complainant lives in the block of flats opposite The British Queen. I could clearly hear loud music at the front of The British Queen with a pronounced bass beat. The lyrics were audible too but not excessive in front of the complainant's front door entrance, the voices from several patrons entering and exiting and smoking outside of the premises were loud and could have been causing nuisance to nearby residents. The people who were outside the premises were patrons of The British Queen as they were going in and out of it and sometimes coming out with bottles of alcohol and soft drinks. Alcohol was being supplied at the premises. Music was constant and audible outside the premises. Patrons were the main source of noise outside the public house.
6. I approached **The British Queen Public House** and requested to speak to the person responsible for the premises. The two unlicensed male door staff denied us entry into the premises despite a few requests from us. One of the door staff started to get aggressive and shut the doors to ensure that we did not enter the public house to investigate. The Licensee was at the premises. A man who I believe to be Roger Davis, the partner of Dawn Fraser, the Designated Premises Supervisor (DPS), came out following our request and identified himself as Roger. I advised him of the noise complaints plus operating regulated entertainment without a valid Licence. I requested a copy of his licence plus the conditions which came with it for inspection but he declined to supply it to us. All he stated was that he has already applied to vary the licence. I advised him to take appropriate steps to abate the noise nuisance and to cease the occurrence of regulated entertainment as his licence does not include the provision of regulated entertainment after 01:00am. He became irate and failed to co-operative at that point and I had to call for the DPS. A lady who claimed to be the DPS came to the door and agreed to reduce the volume of music and advised patrons to start leaving the premises. We left **The British Queen Public House** and parked out of sight and observed the events to ensure that licensed activities did not recur. Most customers had left the area by the time we left the area.
7. The activities I observed at **The British Queen Public House, 21 Love Lane, London, N17** were a breach of the licensing conditions which the premises had at the time of the investigation. They operated regulated entertainment without a valid licence. This is an offence under Section 136(1) of the Licensing Act 2003.
8. At approximately 04:47 I left the area of Love Lane.
9. I have examined the Department's records in respect of **The British Queen Public House, 21 Love Lane, London, N17**. This showed that the premise has a Licence under the Licensing Act 2003, but the licence only permits Regulated Entertainment on a Friday and Saturday until 01:00am.
10. The events I witnessed at **The British Queen Public House**, were a contravention of the current Licensing conditions held by the premises.
11. I produce marked as LT/1 and signed by me a copy of a warning letter dated 15 April 2009, relating to a previous instance of regulated entertainment outside permitted hours. I also produce marked as LT/2 and signed by me a copy of the Premises Licence held by the premises at the time of the offence.

Signed: 

**Enforcement Response Team**  
Enforcement , Lee Valley Technopark, Block 2, Ashley Road, London N17 9LN  
Tel: 020 8489 1000 Fax: 020 8489 5133  
[www.haringey.gov.uk](http://www.haringey.gov.uk)



Director Urban Environment - Niall Bolger  
Assistant Director Frontline Services – Beverley Taylor

**Haringey Council**

Admiral Taverns (58) Limited  
150 Aldersgate Street  
London  
EC1A 4EJ

Date: 11th November 2009

Your ref:

Our ref: UE/ENF/WK/000124516

COPY

Email: [enforcement.response@haringey.gov.uk](mailto:enforcement.response@haringey.gov.uk)

Dear Sir

Re: The British Queen, 21, Love Lane, N17 8HG

We are currently have concerns about the above premises and in particular are investigating an incident which occurred on Friday 19<sup>th</sup> June 2009 relating to use of the premises for licensable activity outside permitted times

We understand that you are the premises license holder, that the Designated Premises Supervisor is Ms Dawn Fraser and that your tenant is Mr Roger Davis.

Please would you confirm the length of lease awarded to Mr Roger Davis and when this commenced.

Please also advise the name of the area manager and contact number so that we may work more closely in the future

Yours sincerely

Derek Pearce  
Enforcement Response

APPENDIX 4  
SECRETARY OF STATE  
GUIDANCE

## 11. Reviews

### THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.4 Licensing authorities may not initiate their own reviews of premises licences. Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may however request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.5 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.6 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.7 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.8 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.
- 11.9 Where the request originates with an interested party – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

11.10 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

#### REPETITIOUS REPRESENTATIONS

- 11.11 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A repetitious representation is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
  - representations considered by the licensing authority when the premises licence was first granted; or
  - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of the licence.

11.12 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.

11.13 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.

11.14 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

#### POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

11.15 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.

11.16 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing



objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.17 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

11.18 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.19 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.20 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

11.21 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

APPENDIX 5  
LICENSING'S AUTHORITY'S  
STATEMENT OF LICENSING  
POLICY APPLICABLE TO THIS  
APPLICATION

## 10.5 Trading Standards

Trading Standards will carry out test purchasing for underage sales in licensed premises.

## 10.6 Environmental Health – Food Team

The Food Team will inspect all food premises and are able to take action in relation to any contraventions found under the Food Safety Act 1990.

## 11.0 Operating Schedule

11.1 The operating schedule will form part of the completed application form for a premises licence. The schedule should contain the information necessary to enable any responsible authority or interested party to assess whether the steps to be taken to promote licensing objectives are satisfactory. In respect of applications for provisional statements, applications will need to contain information as prescribed in Regulation.

### 11.2 Risk Assessments

Risk assessments help to identify areas of concern in the operating of the premises which may undermine the licensing objectives. Applicants can use the information to complete their application and Operating schedule, and the steps identified by the applicant are transferred on to the license as a condition. Risk assessments should be specific to the premises, the proposed licensable activities and the proposed hours of trading and also the anticipated number of people likely to be on the premises when licensable activities are taking place.

11.2 Further guidance in this policy on the Operating Schedule is contained in the Appendix.

## 12.0 The prevention of crime and disorder

12.1 The Home Office has identified that a large percentage of violent crimes, assaults and criminal damage are from offenders under the direct influence of alcohol. The Haringey Crime Audit 2001 acknowledged that alcohol related violence was found to be a problem in night-time entertainment areas and that almost a quarter of all arrests were drink related. Direct findings summarised that the misuse of drugs and alcohol has contributed to the increase of crime and disorder in the borough with young men being of particular concern. Alcohol has also been shown to be a factor in occurrences of domestic violence. In comparison to similar boroughs, Haringey compared well and had fewer violent crimes per 1000 residents than the adjoining boroughs of Islington and Hackney.

- 12.2 The Council is committed to reducing crime and disorder throughout the borough through its statutory duty under the Crime and Disorder Act and through the Haringey Safer Communities Strategy.
- 12.3 Good management, best practices and sound procedures in licensed premises do and can make an important difference to the level of alcohol related crime.

### **13.0 Public safety**

- 13.1 Members of the public visiting licensed premises have the right to expect that due consideration has been taken in relation to public safety. Licensees, as providers of the premises for the sale of alcohol and/or regulated entertainment, must be able to demonstrate that they have considered and put in effect measures to protect members of the public.
- 13.2 In order to promote public safety responsible authorities may make representations on the grounds of public safety. The Licensing Authority will encourage those applying for a premises licence to undertake the necessary fire safety risk assessment and to be compliant with all relevant building control rules and regulations.
- 13.3 The Council recommends that the Metropolitan Police Promotion/Event Risk Assessment Form 696 and the After Promotion /Event Debrief Risk assessment Form 696A be used as an effective tool in this process.

### **Adult Entertainment**

- 13.4 Nudity, striptease and other adult entertainment of a sexual nature fall within the remit of the Licensing Act 2003. This section details the approach the Licensing Authority will take when considering applications for this type of activity on its own merits. These premises may also require a licence under the Local Government (Miscellaneous Provisions) Act 1982.
- 13.5 Applicants to whom this applies are required to set out expressly in their Operating Schedule that they propose to offer entertainment involving nudity, striptease or other adult entertainment of a sexual nature. Any reference to music or dancing without express reference to adult entertainment will be interpreted as not including adult entertainment.
- 13.6 The Licensing Authority and the Police will have concerns about crime and disorder and public nuisance issues which may arise from the operation of the premises where these activities take place. The carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature. For these reasons there must be proper regulation of premises where these activities are offered.
- 13.7 When considering applications the Licensing Authority will have regard to whether the premises are in close proximity to the following:
- Schools

- Licensees will need to have measures or procedures in place to check the SIA register of door supervisors to ensure their premises and customers are only protected by door supervisors with an SIA licence.

#### **14.0 The prevention of public nuisance**

- 14.1 Licensed premises, especially those operating late at night and in the early hours of the morning can cause a wide range of nuisances that can impact on the people living, working or sleeping in the vicinity of the licensed premises. The Council is committed to protecting the residents and businesses in the vicinity of these licensed premises.
- 14.2 In particular, late night activities cause much of this nuisance. Late night cafés, clubs, pubs and restaurants can have a number of adverse effects on the residents in the vicinity of these premises. Nuisance such as noise, litter, anti-social behaviour, lights and odour all contribute to the loss of amenity to the general public.
- 14.3 Noise nuisance is of particular concern; music, people talking, ventilation equipment and traffic can all be disturbing especially at night when ambient noise is low.
- 14.4 The conduct of customers leaving premises or spilling out into public and open spaces is often a source of disturbance and anti-social behaviour. Problems can include littering, the breaking of glasses and bottles, vomiting and urination.
- 14.5 Fly posting or any other illegal methods of displaying advertisements relating to a licensed premises or events is considered to be a public nuisance and will not be tolerated by the Council. The Council will take action (including prosecuting) those that fly post and will support action by other Councils against those that fly post.
- 14.6 The Council is aware of the importance of the licensing trade to the local economy and its culture and leisure aspirations. Accordingly, it will try and work together with individuals and bodies who are able to make objection to licence applications, the statutory agencies and licensed businesses to ensure that licensed premises can provide a service in a responsible way and co-exist with the wider community.
- 14.7 In considering all licensed applications, the Council will consider the adequacy of measures proposed to deal with the potential for nuisance and/or anti-social behaviour having regard to all the circumstances of the application. The council will expect applicants to address the issues under prevention of public nuisance detailed in the Appendix.

#### **15.0 The protection of children from harm**

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is exempt

This page is intentionally left blank