

The Banc, 261-263, West Green Road, N15 3BH.

Independent report on Licence Review

By

Adrian Studd, Independent Licensing Consultant.

1. I have been instructed to conduct further observations at the above premises in connection with a review application, submitted by local residents to the London Borough of Haringey, concerning alleged noise and nuisance generated by the Banc.

Summary of expertise – Adrian Studd.

2. I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement, I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role, I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition, I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games.
3. In addition to leading my team, I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work. Prior to this role, between

Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity.

4. Providing both Overt and Covert support for policing problem licensed premises across London, my team worked with premises when licensing issues were identified, in order to address these problems through the use of action plans in order to raise their standards. Where this failed, I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, and together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
5. From 2004 until 2008, my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role, I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.
6. I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs to implement the initiative. I am a trained Purple Flag and Best Bar none assessor and, until my retirement, I sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years, I have

been in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time, I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above, I have attended a large number of internal MPS training and qualification courses, and I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).

7. Following my retirement, I set up a licensing consultancy to provide independent advice for premises requiring a local authority licence. Since then, I have provided evidence gathering services and advice to a broad range of licensed premises on a variety of issues, including crime and disorder, cumulative impact, sexual entertainment, street drinking, rough sleepers, age related products, betting and gaming and planning. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences, SEV licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

Observations.

8. I conducted observations in the premises in the surrounding roads on the evening of Saturday 31st March 2018 between 19.30 and 01.45 hours and on Friday 13th April 2018 between 19.30 and 01.45 hours.

Saturday 31st March 2018.

9. On my arrival at about 19.30 the vicinity of the premises was quiet. There were no queues outside the premises and the door supervisor was at the entrance to the Shisha area. Inside the Shisha area was busy with customers and there were customers arriving and being admitted. I asked the door supervisor to keep a count

of the number of people he saw who walked down Clinton Road from West Green Road but were not Banc customers. His duties occasionally took him inside so this would only provide a guide not an exact figure.

10. Clinton Road in the vicinity of the premises was clear and there were cones at the junction with Station Crescent where the double yellow lines are and this was also clear of vehicles. Walking along Clinton Road and Station Crescent cars were parked along both sides of the road but there were a few parking places available particularly at the far ends of the roads and in Clarence Road. During the course of the evening cars were on occasion parked on the yellow lines although I did not see the road or junction blocked. I saw no parking enforcement during any observations.
11. From 20.00 hours until the premises closed I observed two door supervisors employed by The Banc walking around Clinton Road, Station Crescent and Clarence Road. These door supervisors approached individuals making their way to or from the premises and asked them to keep noise to a minimum when walking and when getting into and out of cars. They also approached vehicles that were manoeuvring in the road or were stationary with engines running and reminded them it was a residential road and to be considerate of the residents.
12. During the course of the evening there was a mix of vehicles and pedestrians using the roads. Some were Banc customers parking and making their way to and from the premises and vehicles. Others were residents, guests or others coming and going on foot and in cars and there were also the usual comings and goings of a residential street such as deliveries. For example:
13. At 20.00 a Tesco delivery van drove down Clinton Road apparently to make a delivery. At 20.50 a Yodel delivery van manoeuvred around the junction of Clarence Road and Station crescent and parked. At 21.05 a couple with their children go to a vehicle parked in Clarence Road and spend a few minutes getting in and sorted out before leaving. At 21.10 two people come from a house in Clarence Road, get into a car and drive off. At 21.18 what appears to be 2 residents walk along Clarence Road carrying shopping bags and chatting loudly.

14. At 21.35 I noticed a white BMW 1 series car that was stopped at the junction of Dagmar Road and Station Crescent, outside 76 Station Crescent, with its engine idling noisily. There was a resident observing this from the upstairs. I pointed this out to the patrolling door supervisor who spoke to the driver who stated that he was not going to the Banc. He drove off a short while later and I subsequently saw the vehicle driving around the area but not parked up again.
15. At 21.35 I noticed a 'doctor on call' vehicle parked outside 85 Station Crescent, at times the engine was left idling and the lights were on in the vehicle. It left at 22.05 hours.
16. During the course of the evening I walked past 63 Station Crescent on a number of occasions and I could hear the sound of laughter and chatting come from inside, it sounded like a group of young adult males who were having a night in chatting and laughing loudly with the windows open. This was clearly audible in the street and immediate vicinity, especially later as the ambient noise decreased. There is nothing wrong with this, it is just the usual background noise of a residential area, but it could easily have been mistaken as having been made by pedestrians in the street.
17. Between about 20.30 and 22.30 the roads were busier than at other times of the evening. Due to parking on both sides of the road at all times it is restricted to a single lane and on occasion vehicles have to manoeuvre to allow others to pass. The patrolling door supervisors assisted if required and I did not see this cause any problems. With vehicles coming and going parking was available in all roads with Clarence Road remaining the clearest. I noticed the shop on the corner of Clarence Road and Black Boy Lane was still open with a few customers making their way to and from Clarence Road direction as well as Black Boy Lane.
18. Between 23.00 and midnight both road traffic and foot traffic reduced. At 23.10 a Mercedes vehicle parked in Station Crescent and the driver, who appeared to be a resident, made her way into a house in the vicinity of number 66 Station Crescent. There were customers leaving Banc and making their way off in West Green Road

and to vehicles parked in all three roads and then driving from the area. The two door supervisors continued their patrols and I did not see any disorderly behaviour or any loud or anti-social conduct. At 23.45 I saw the White BMW 1 series drive around again but did not see it stop on this occasion.

19. Between Midnight and 01.00 the roads remained quiet with a reducing amount of foot and vehicle traffic. I noticed that KK McCools next door to Banc was still open and busy with customers coming and going and smokers outside. West Green Road was busy and a small amount of vehicles turned into Clinton Road but did not stop or park within my view. A small number of pedestrians made their way from west Green Road down Clinton Road. At 00.35 a van parked in Clinton Road close to the junction with Clarence Road, a male retrieved his tools from the vehicle, locked and secured it and made his way into a house nearby. Customers continued to leave Banc via West Green Road and to vehicles parked in Clinton Road and surrounding roads. The door supervisors were present and patrolling and I did not hear undue noise or see any disturbance or drunkenness.

20. By 01.00 most customers had left Banc premises and those remaining left between 01.00 and 01.30. As before some went to vehicles parked in the roads nearby but there was no noise or disturbance and the door supervisors were still patrolling the roads. I chatted briefly to a male who was sitting on a wall outside one of the houses in Clinton Road a few houses down from Banc. He stated that he had lost his keys and was waiting for his sister to come home from work so he could stay in her house. I spoke to the door supervisor at the entrance to the Shisha area and he informed me that during the evening approximately 20 people had walked from West Green Road and down Clinton Road who were not Banc customers. I left the area at 01.45 by which time the Banc was closed and only staff remained. I noticed that KK McCools was still busy as was traffic on West Green Road.

Friday 13th April 2018.

21. I conducted observations in the vicinity of the premises on the evening of Friday 13th April 2018 between 19.30 and 01.45 hours. The traffic and pedestrian footfall during

the night followed the same pattern as my previous observations. Again I observed no drunkenness, noise or nuisance being caused by Banc customers.

Representations.

22. I understand there have been 32 residents representations submitted in this matter, 12 that support the premises and 20 that raise objections and support the review. The majority of the representations come from residents in Clinton Road and Station Crescent and there are also 3 in Gresley Court, 2 in Clarence Road and 1 in Black Boy Lane.
23. The main areas of concern from those supporting the review relate to parking in the roads making it difficult for residents to find parking spaces, difficulty driving down the roads due to traffic, noise caused by vehicles, noise from people and music in vehicles, noise of people walking to and from vehicles and litter. Some also report abusive behaviour by customers when challenged, although as far as I am aware no complaints have been made to police and neither police nor Haringey Council have submitted representations.
24. Representations in favour of the premises comment on the well-run business, that it is a good asset to the area and the extra security provided by door supervisors patrolling. They generally do not consider that there is additional disturbance or litter or that reducing hours would bring any benefits although some comment that traffic flow could be improved with additional measures such as one-way system and traffic calming measures. A number recognise that parking is an issue generally in the area and reducing the hours would not solve that.
25. The majority of the representations, for and against, have been made by residents who live within 150 metres of the Banc towards the top of Clinton Road and Station Crescent; however there have been no representations from those living closest to the premises at the north end of both roads. The closest property in Clinton Road to make a representation is number 17A on the West side of the road; this is in support

of the premises. On the East side the closest is number 22 which is also in support of the premises. In Station Crescent the closest property making a representation is at number 8 which is supporting the review. The three representations from Gresley Court support the review.

Conclusions.

26. I have conducted observations on three occasions at the Banc and in the vicinity, all were on busy nights. I did not see any evidence of noise or nuisance caused by the premises customers during those observations. The premises is largely frequented by males and females in their 20's and 30's of Arabic, Middle Eastern or Asian appearance and I saw only small amounts of alcohol being consumed inside the premises. I saw no drunkenness or disorderly behaviour inside the premises or by customers leaving in the streets.
27. The premises is attractively decorated and are of a high quality. It is significantly food and Shisha led with alcohol very much ancillary to these. There is a high ratio of staff to customers and good management supervision. The manager and his team are highly visible both inside the premises, at the door and in the immediate vicinity. They are well known and approachable to residents. The door supervisors are effective with one at the door and two employed to manage the streets in the vicinity.
28. The key issue is the parking of vehicles in the surrounding streets. In addition to the customers that park in the surrounding streets, in particular Clinton Road, Station Crescent and Clarence Road, most of the residents appear to have vehicles that they also park on the road. There are also the usual comings and goings of foot and vehicle traffic associated with a densely populated area. There is no off street parking due to the small front gardens of the houses. Resident parking restrictions end at 6.30pm. The narrow streets with parking along both sides results in vehicles being unable to pass each other if they meet and it is necessary for one to pull into a vacant spot or reverse to allow others to pass.

29. During my observations there was parking available through the night, although the location of spaces changed as Banc customers, residents and guests came and went through the night. It was always possible to park in Clinton Road, Station Crescent or Clarence road, although not necessarily outside a particular house. There were some examples of residents 'reserving' spaces outside their houses by placing 'wheely bins' on the road, or on one occasion, parking a motorcycle that was then moved when the resident returned.
30. During my observations I saw no evidence of rubbish being deposited from vehicles onto the road or of loud music or revving engines. Anyone sat in car for more than a few minutes was approached by a door supervisor with enquires about their destination and reminders to behave in a considerate manner whether they were Banc customers or others. While door supervisors have no authority on the street if the individuals are Banc customers they are made aware that failing to comply will result in them not being permitted entry then or in the future.
31. I did see individuals and small groups talking as they walked to vehicles, car doors being opened and closed and vehicles manoeuvring in the street. Some appeared to be Banc customers, some residents or guests, some visitors and others. This appeared to me to be what is expected of a residential London Street adjacent to a main road and with a number of licensed premises, shops and take-aways in the vicinity. Many residential areas are affected by traffic and parking due to proximity of a variety of establishments such as railway stations, busy shops, petrol stations, car washes, schools or churches.
32. In my view the premises does not cause any disorder, noise or nuisance. The issue is one of traffic and parking which are common causes of friction across London. The premises already does what it can to minimise the potential for nuisance to residents and further measures rely on others such as the local authority. For example consideration could be given to more effective traffic calming (the existing 'speed humps' are too few and too low to be effective), extension of resident parking restrictions later in the evening, making Clinton Road and Station Crescent one way to prevent manoeuvring in the street at busy times and encouraging customers to

park at the West Green End of Cornwall Road where there are no residential properties and ample parking spaces.

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18/04/18.