

Your Ref:

Our Ref: Licensing

Date: 06<sup>th</sup> December 2021

## REPRESENTATION LETTER

Dear Sir/Madam,

### **LICENSING ACT 2003 – Application for a New Premises Licence – CLASIC RESTAURANT- 502-508 HIGH ROAD, London N17**

The Licensing Authority are making representation against this application submitted by Mr Alin Mandachi.

Mr Mandachi has shown in the past few weeks that he does not understand the licensing laws or have regard for upholding the law at any given opportunity. There is a degree of trust that is required from a licence holder to ensure that they will undertake to promote the licensing objectives and manage a licensed venue with a sense of understanding and responsibility. Mr Mandachi has knowingly breached the Licensing Act 2003 and also The Health Act 2006.

The applicant has on a number of occasion provided licensable activity without any authorisations in place. Mr Mandachi has been warned on a number of occasions to not permit unauthorised activity, he has ignored all warnings and operated regardless. Mr Manadchi has no problem with non compliance and in this regard has shown that he cannot be trusted to be a responsible licence holder.

#### **Timeline of events:**

Met Police carried out visit on 17<sup>th</sup> October 2021- they witnessed alcohol on sale and regulated entertainment being provided. Evidence of alcohol sales was gathered, Body worn camera also captured images of patrons smoking inside the premises.

The Police Licensing Team referred the matter to the Licensing Authority for further investigation.

October 20<sup>th</sup> 2021 – warning letter issued to Mr Mandachi – attached at NS1.

October 21<sup>st</sup> 2021- A TENs was submitted for a proposed event on 30<sup>th</sup> October 2021- The TENs was refused due to the Police not having confidence in the management of the venue to uphold the licensing objectives. We understand that the event was still held at the venue.

On Saturday 6<sup>th</sup> November 2021, officers carried out licensing visits, at 20:25, they attended Clasic Restaurant, 502 – 508 High Road, Tottenham, N17 9JF. At the entrance of the premises, they observed two male SIA security Officers standing in front of the main entrance. As they walked up the stairs towards the reception area, they could smell smoke coming from inside the premises. The reception area was filled with smoke and group of men were observed smoking cigarettes in the reception area, located around the reception were several bins with ashtrays on top.

Officers counted that there were over 250 places set out and approximately 30 people in the room sitting at tables..

Two people working at the premises had a checklist, and were seen to be ticking customer's names off the checklist, they handed a wrist band and allowed them to go into the event. Mr Mandachi claimed that there was TENs in place for this event, but that was not the case, no TENs had been applied for.

On 8<sup>th</sup> November a further TENs was submitted for a proposed event on 13<sup>th</sup> - 14<sup>th</sup> November 2021. This was refused due to concerns of the licensing being undermined.

Friday 12<sup>th</sup> November an application for a Premises licence was submitted for the premises. The initial application did not request regulated entertainment. The Authority queried this with the agent and provided information from the venues own website which showed that the premises was offering alcohol for sale as well as provided regulated entertainment – NS2.

Friday 19<sup>th</sup> November 2021, at approximately 19:50hrs, officers attended Clasic Restaurant, as part of late-night licensing visits across the borough. Before entering the premises loud music could be heard from Tottenham High Road, which is approximately 15 metres away.

A live band was performing in the middle of the floor, there were three people performing in the band and all had instruments, being played, one of the band members was singing. Over 50 people sitting inside and tables laid out for over 200 people.

On Saturday 20<sup>th</sup> November 2021, Enforcement officers were tasked to visit Clasic Restaurant, as an application for a Temporary Event Notice for that evening had been refused. Mr Mandachi obstructed the officer and refused him right of entry to the premise which is a breach of section 179 of the Licensing Act 2003.

A further TENs was submitted by Mr Mandachi agent for 27<sup>th</sup>-29<sup>th</sup> November 2021 which was refused due to concerns of non-compliance with the licensing objectives..

Mr Mandachi requested the right to appeal the refusal of this TENs to the LSC.

A subsequent LATE TENS was submitted by a Mr Vishan for 27<sup>th</sup> November, this late TENs was refused.

The hearing for the TENs submitted on Mr Mandachi was arranged for 26<sup>th</sup> November but we were informed by the agent on 25<sup>th</sup> November to withdraw the request for a hearing. He advised that the applicant had hired out the venue to a third party who was responsible for the late TEN that had been submitted for the proposed event on the 27<sup>th</sup>. The agent advised his client no longer wished to run an event from the premises on the 27<sup>th</sup>.

On Saturday 27<sup>th</sup> November 2021 authorised officers of the Council and Met Police Officers attended the venue but Mr Mandachi had employed a number of SIA guards at the front of the venue to deny access to the premises to the officers. This is a clear breach of Section 179/180 Licensing Act 2003. A further warning was issued to Mr Mandachi regarding his direct steps to obstruct officers. NS3

The Licensing Authority RA has no confidence in Mr Mandachi and doubt that he has any intention to comply with conditions placed on any licence. The existing breaches are subject to prosecution procedure. Mr Mandachi felt it was his right to tell officers to prosecute him when he took action to obstruct officers from entering the premises. Mr Mandchi has shown poor judgement in his management of the venue and his willingness to disregard the law and obstruct officers.

The premises itself does not have planning permission to operate as an event space/banqueting suite or to the late hours Mr Mandachi is requesting. The application should be refused as the applicant does not understand the gravity of the role and the opportunity he is asking to be permitted to hold at the venue.

The LA objection speaks to Mr Mandachis' inability to promote the licensing objectives of the prevention of crime and disorder, public safety and public nuisance. He has shown no regard to the fact that he requires a Premises licence in order to offer licensable activity at the venue, he is content to continue operating with no regard to the law.

Yours sincerely  
**Licensing Authority RA**