

Mr A Messoudi
Areca Restaurant.

Your Ref:
Our Ref: Licensing
Date: 12 April 2022

By email.

WARNING LETTER

Dear Mr Messoudi,

LICENSING ACT 2003 – UNAUTHORISED ACTIVITY IN BREACH OF SECTION 136.

This Authority has issued you with warning previously against offering licensable activity without the correct authorisation being in place.

You are fully aware that the premises does not have authorisation to offer or supply alcohol or regulated entertainment.

The Licensing Enforcement officers received calls on 8th April 2022 regarding noise and nuisance coming from the premises. On visiting the premises after midnight they found over 80 people onsite and alcohol being sold. The Enforcement Officer spoke directly to you at the premises at the time and asked you for your Premises Licence. You incorrectly informed the officer that you had a premises Licence. A statement that you know to be untrue and misleading at best.

The officer noted that a DJ was onsite playing recorded music to entertainment the public an activity for which you are not licensed to offer. The officer also noted that cigarettes, shisha and cannabis were being smoked inside the premises. This is in violation of the Health Act 2006.

There was a female behind the bar who was pouring alcoholic drinks and accepting cash payment. Patrons advised the officer that the venue was open until 0300 hours.

The Enforcement Officer required you to stop the unauthorised event and ensure that people left the premises. The Officer was then assaulted by an angry patron who grabbed hold of the officer. This is viewed as an assault on the officer undertaking their proper duties and is not acceptable.

As you are aware the Police were then called to the premises.

The officer noted that you stated you had a booking for shisha but more and more people turned up and you were unable to then control what was taking place at the premises, this is a very worrying situation all round.

It is clear from the ongoing unlicensed contraventions over the preceding months which has now resulted in an officer being assaulted on your premises that you have very poor management of the venue and a complete disregard for the law.

It is an offence to knowingly permit the use of the premises for unauthorised licensable activity in contravention of section 136 of the Licensing Act 2003.

You have permitted the following to take place without authorisation:

- The sale or supply of alcohol
- Regulated entertainment
- Late night refreshment - which is the sale of hot food and hot drink after 23:00pm.

It is also an offence to permit people smoke within premises under the Health Act 2006.

The Council will be seeking a prosecution against you for this unauthorised activity under the Licensing Act 2003.

In the meantime you are being sent formal warning of the Councils intention to seek a formal Closure order for the venue.

The onus is upon you as the person in control of the premises/business to ensure compliance with the law.

Please contact me if you wish to discuss the content of this letter 020 8489 8232.

Yours sincerely

Daliah Barrett-Williams
Licensing Team Leader

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