

Report for: Licensing Sub Committee – 16th November 2023

Title: Application for a Review of a Premises Licence – CONNECT BAR AND RESTAURANT, 71 TURNPIKE LANE, WOOD GREEN, LONDON, N8 0EE

Report authorised by: Daliah Barrett, Licensing Team Leader, Regulatory Services

Ward(s) affected: HARRINGAY

**Report for Key/
Non Key Decision:** Not applicable

1. Describe the issue under consideration.

- 1.1 This Noise & Nuisance Team submitted a review against Connect Bar on 22nd September 2023. The application cites the failure on the part of the licence holder Ms Margaret Twist to uphold and promote the licensing objectives of:
 - the prevention of crime and disorder
 - Prevention of public nuisance
 - Public safety
- 1.2 complaints relate to loud music, operating beyond permitted and fights taking place that emanate from the premises. A copy of the current premises licence is attached to the review application at Appendix 1.
- 1.3 The Appendices to support the Trading Standards review are produced in Appendix 1 as listed below:
 - Annex 1:Supporting document
 - Annex 2: footage
 - Annex 3:Copy of current Premises Licence.
- 1.3 The review application has not specified what action the LSC is being asked to consider in relation to this matter. The review application was advertised in accordance with the requirements of the Licensing Act 2003.
- 1.8 Each of the Responsible Authorities were consulted in respect of the application.

2.0 Relevant Representations

- 2.1 **Metropolitan Police** – Representation was made in support of the review and provides additional information of incidents involving the premises . A copy of the Police representation can be seen in Appendix 2.
- 2.2 **Premises Licence Holder** – Ms Twist had submitted some communication which is attached at Appendix 3.

3.0 Licensing history

- 3.1 The premises has operated since 2016. It is situated along a parade of shops with residential above. .

4.0 RELEVANT LAW, GUIDANCE & POLICIES:

4.1 The paragraphs below are extracted from either :

- the Licensing Act 2003 ('Act'); or
- the Guidance issued by the Secretary of State to the Home Office of April 2018 ('Guid'); or
- the London Borough of Enfield's Licensing Policy Statement of January 2021 ('Pol').

5.0 General Principles :

5.1 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].

5.2 The licensing objectives are :

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; &
- the protection of children from harm [Act s.4(2)].

5.3 In carrying out its functions, the Sub-Committee must also have regard to :

5.4 the Council's licensing policy statement; &

5.5 guidance issued by the Secretary of State [Act s.4(3)].

6.0 Review:

6.1 In reviewing a licence the Licensing Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information [Pol s.16.10].

6.2 A number of reviews may arise in connection with crime that is not directly connected with licensable activities, for example the sale of contraband goods.(Pol s.19.8) The Sub-Committee does not have the power to judge the criminality or otherwise of any issue. The Sub-Committee's role is to ensure the promotion of the crime prevention objective [Guid s.11.24].

6.3 Where reviews arise in respect of these criminal activities and the Sub-Committee determines that the crime prevention objective is being undermined, it is expected that revocation of the licence – even in the first instance – should be seriously considered [Guid s.11.28].

7. Decision:

7.1 Having heard all the representations (from all parties) the Licensing Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are :

- to modify the conditions of the licence;
- to exclude a licensable activity from the scope of the licence;
- to remove the designated premises supervisor
- to suspend the licence for a period not exceeding three months;

- to revoke the licence [Act s.52].

7.2 In deciding which of these powers to invoke, the Sub-Committee 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 an appropriate and proportionate response to address the causes of concern that instigated the review. [Guid s.11.20].

8 Other considerations

8.1 Section 17 of the Crime and Disorder Act 1998 states: 'Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area'.

9 Human Rights

9.3 While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property.
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression.

10. Use of Appendices

Appendix 1 – Review Application Form and copy of current licence
Supporting documents -
Appendix 2- Met Police representation
Appendix 3- Correspondence from Ms Twist.

Background papers

Section 82 Guidance
Haringey Statement of Licensing Policy

Background Papers :
None other than any identified within the report.