

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

Councillors Browne, Demirci and Jenks

<p>SLSC07.</p>	<p>APOLOGIES FOR ABSENCE</p> <p>There were no apologies for absence.</p>	
<p>SLSC08.</p>	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>	
<p>SLSC09.</p>	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>	
<p>SLSC10.</p>	<p>SUMMARY OF PROCEDURE</p> <p>The summary of procedure was noted.</p>	
<p>SLSC11.</p>	<p>EKUBANZ, 651 HIGH ROAD, LONDON N17 (NORTHUMBERLAND PARK WARD)</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>	

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	<p>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.</p> <p>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.</p> <p>It was agreed that the hearing would move into private session and the two local residents who had made representations withdrew from the proceedings.</p>	
<p>SLSC12.</p>	<p>EXCLUSION OF PRESS AND PUBLIC</p> <p>RESOLVED</p> <p>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.</p>	
<p>SLSC13.</p>	<p>EKUBANZ, 651 HIGH ROAD, LONDON, N17 (NORTHUMBERLAND PARK WARD)</p> <p>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.</p> <p>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.</p> <p>The licence holder and DPS stated their case and all parties were offered the opportunity to ask questions.</p> <p>The Committee decided to allow summing up to take place</p>	

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	<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>	
SLSC14.	<p>RE-INCLUSION OF PUBLIC AND PRESS</p> <p>RESOLVED</p> <p>That the press and public be re-admitted for the remainder of the hearing.</p>	
SLSC15.	<p>EKUBANZ, 651 HIGH ROAD, LONDON N17 (NORTHUMBERLAND PARK WARD)</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>RESOLVED</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>	

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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