

**MINUTES OF THE LICENSING SUB-COMMITTEE B
TUESDAY, 10 MAY 2011**

Councillors Brabazon, Browne (Chair) and Jenks

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCB40.	<p>APOLOGIES</p> <p>There were no apologies for absence.</p>	
LSCB41.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>	
LSCB42.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>	
LSCB43.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the minutes of the meetings of the Licensing Sub Committee B held on 1st and 8th February 2011 be approved and signed by the Chair.</p>	
LSCB44.	<p>SUMMARY OF PROCEDURE</p> <p>Noted.</p>	
LSCB45.	<p>YOREM SOCIAL CLUB, 450 WEST GREEN ROAD, TOTTENHAM, N15 3PT</p> <p>This item was withdrawn from the agenda.</p>	
LSCB46.	<p>KELCO, 18 HIGH STREET, HORNSEY, LONDON N8 7PB</p> <p>Keith Betts presented the licensing report, outlining an application by the Metropolitan Police for a review of the premises licence at Kelco Bar, 18 High Street, Hornsey, N8 7PB.</p> <p>Insp Hembury, Metropolitan Police, commenced the Police evidence, and invited Sgts Tisi and Kneebone to present their statements regarding the night of 12th March 2011 as set out in the documentation. It was reported that on that night, Sgt Tisi had responded to a complaint regarding noise at the premises with a member of the Council's noise team. After speaking with the licensee, the licensee had decided to close the premises as the situation was not under control. A large crowd had subsequently formed outside the premises, causing noise and public disturbances. Additional police units were called to manage the situation, and Sgt Kneebone reported that she and other officers had spent over two hours attempting to disperse the crowd, and that it had been necessary for the police to use shields and CS gas, due to the nature of</p>	

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the situation they were faced with. Insp Hembury showed the Committee extracts of a DVD of CCTV footage taken outside the venue on 12th March 2011.

In response to a question from the Committee, the Police confirmed that they had recognised some of the individuals outside the premises as being members of local gangs. The Committee asked about the conduct of the groups outside the venue, and it was reported that people were drinking, shouting, being abusive and that when police attempted to disperse the crowd, individuals were running away and throwing missiles at the police from a distance. There were also fights taking place within the groups. In response to a question from the Committee regarding the management of the venue on the 12th March, Sgt Tisi reported that the situation appeared out of control and that the licensee had not expected such a situation to arise. It was reported that it had taken the licensee a minute to unlock the rear door to the premises, which Sgt Tisi recalled had been bolted at the top and bottom.

The Committee asked whether the police had witnessed any persons entering the premises after 1am, as this had appeared to be the case from the CCTV footage; the police had not witnessed anyone entering the premises after they believed it had been closed, although they could not confirm either way.

Eubert Malcolm, Enforcement Response, presented the noise team representation. It was noted that most of the history of noise at the premises dated from before the present licensee had taken over at the premises. On the basis of the noise team report, Mr Malcolm confirmed the account of the night of the 12th March 2011 as set out by the police evidence. From an Enforcement point of view, it was essential that the issue of SIA-registered door staff be addressed. In response to a question from the Committee, Mr Malcolm reported that there had been a history of noise complaints in relation to the premises in the past, irrespective of who held the licence.

Mr Dhanoa addressed the Committee. He reported that he was not aware of the issues in the local area when he had taken on the premises and that the previous owner had not delivered the hand-over period as promised to help him learn how to manage the premises. Although he had some experience as a door supervisor, he did not have experience of running a venue. Mr Dhanoa reported that he had been approached by a promoter to hold an event for 30-40 people, and had agreed, as he believed that he would be able to manage this event himself. Once the police and noise team officer had arrived, he had taken a decision to shut the event down, after which he had locked the doors and remained inside with his family members who had been helping him out on the night.

Since the event, Mr Dhanoa reported that he had been working with the responsible authorities to address the issues, including the fire door and the doormen. He reported that he was no longer accepting bookings from the promoter for the 12th March event and that his door policy was

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now over-21 only. He reported that he had met with local residents to reassure them and discuss their concerns, and that he had given them his contact number so that they could let him know if there were any problems with the noise levels. Steps had been taken to ensure that the issues that arose on 12th March 2011 would never reoccur, and the premises had been operating with no problems since that date.

In response to questions from the Committee, Mr Dhanoa admitted that he had made mistakes on that event as the situation had been overwhelming, but that steps had been taken to ensure that this did not happen again. Regarding the fire door, Mr Dhanoa reported that this had been addressed with the fire officer. He reported that he had unlocked it on the day, but that someone else must have locked it again as he was surprised to find it closed on the night; it was reported that the measures put in place meant that this could not recur. The Committee asked about the management and structure in place; Mr Dhanoa reported that he worked part-time as a Housing Officer in Hounslow, Monday to Wednesday, and that the premises were only open on Friday to Sunday. It was reported that it was necessary to work with promoters to bring customers to the venue as there was not much passing trade and that he employed bar staff and doormen, as well as being assisted by friends and family. The Committee asked about the promoters used, and Mr Dhanoa reported that he had changed the style of promoters he was using and the type of music, in order to attract a more mature customer base.

Mr Dhanoa confirmed that he was the designated premises supervisor and that he employed a strict policy of customers needing to show either a passport or driving licence as ID as a condition of entry. The Committee asked about the nature of the business and it was reported that it was hoped the premises could be opened as a wine bar when it opened earlier in the week in future, but that for the weekends it operated as a club venue. In response to a question, Mr Dhanoa reported that he had read the conditions on the licence when he had taken over as licensee.

In response to questions from the Insp Hembury, Mr Dhanoa reported that he used regular promoters for each night, and would be happy to complete a 696 form and submit this to the police in advance of any events. The Committee asked about how the licensee would decide whether or not to hire the venue out for a private party, in response to which Mr Dhanoa reported that he would make an assessment on meeting the individual, although this could not guarantee that there would not be problems. He confirmed that he was targeting a quiet, mature crowd for the venue.

In summing up, the police reported that a review of the licence had been the only option open to them given the nature of the incident that occurred on 12th March 2011. The police expressed concerns that the licensee's lack of experience meant that he would not be able to ensure that a similar incident would not recur. Mr Dhanoa concluded by apologising to everyone who had been affected by the events of 12th

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March, and stated that he had worked hard to address all the problems that had occurred and did not want to lose his premises.

The Committee adjourned to deliberate.

RESOLVED

The Committee carefully considered the application for a review by the Metropolitan Police and heard from the licensee and a representative of the noise team and carefully considered the licensing policy and section 182 of the guidance. It was the Committee's decision to allow the licence to continue, but only on the following conditions:

- 1) That the licence be suspended for the maximum three month period.
- 2) The Mr Dhanoa be removed as the Designated Premises Supervisor.
- 3) That the conditions of the licence be modified as follows:
 - i) That the supply of alcohol be for consumption *on* the premises only.
 - ii) That the recommendations as set out by the noise team on page 139 of the agenda pack be implemented, namely that SIA licensed doormen (a minimum of two) be on duty from 20:00hrs until close of premises from Thursday until Saturday and at any other time when events occur at the premises and that the Licensee or DPS should, or instruct others to, contact the Police by the red care alarm system and / or by any other means should any unruly behaviour occur at the premises that is beyond the control of the staff members.
 - iii) That a full fire inspection be undertaken, looking in particular at the fire doors, with all measures to be implemented and signed off by the fire officer.
 - iv) That a police 696 form be completed and submitted to the police 21 days prior to any promoted event or private party taking place.

Having heard the evidence from the police regarding the events of the 12th March 2011 and the licence holder's concession that he failed to show the necessary experience to deal with that incident, the Committee took the view that the measures imposed are a proportionate response to promote the four Licensing Objectives.

For the avoidance of doubt, the premises should only re-open following its suspension once the Licensing Authority has provided written confirmation to the applicant that the conditions have been met to their

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	<p>satisfaction.</p> <p>Please note that this decision is stayed from coming into effect for 21 days after the date of the decision, pending any appeal that might be made and the determination of that appeal.</p>	
LSCB47.	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>There were no new items of urgent business.</p> <p>The meeting closed at 13:10.</p>	

Cllr David Browne

Chair