

**Application for a variation of a Premises Licence under the Licensing Act 2003 –
Mama Juana Restaurant Bar, 420 High Road, Tottenham, London N17 9JB – 8
February 2024**

The Licensing Sub-Committee carefully considered the application for a variation to the premises licence for Mama Juana Restaurant Bar, 420 High Road, Tottenham, London N17 9JB (“the Premises”). In considering the application, the Committee took account of the London Borough of Haringey’s Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack and the applicants and objectors written and oral representations.

Having considered the application and heard from all the parties, the Sub-Committee decided to reject the application to vary the licence.

Reasons

The Sub-Committee gave serious consideration to the submissions by the Applicant and to the concerns raised by the objectors. The current conditions in place were deemed appropriate and proportionate and would ensure that the licensing objectives were promoted.

The Sub-Committee noted that the Police were concerned about matters relating to an incident that had taken place on 2 April 2023 where a suspect attempted to discharge a firearm, this had resulted in the suspect being arrested for possession of a firearm with intent to endanger life and for attempted murder (‘the incident’). The Police stated that they had attempted to contact the Applicant to discuss matters relating to the incident but she failed to respond to them for 3 months; the Police had attempted contact by telephone, email, and had visited the premises and left letters at the premises for the Applicant.

The Sub-Committee had regard to the representations made by and on behalf of the Applicant; she stated that she had felt nervous following the incident and that there may have been communication issues as English is not her first language. The Sub-Committee balanced this against the representations made by the Police. Along with matters relating to the incident, the Police were concerned of the risk to public safety; the premises is close to residential properties and noise from the premises might impact residents. The Sub-Committee were satisfied that there would be a risk of intoxicated persons leaving at 3am on the busy high road which could result in them harming others or themselves.

The Sub-Committee were satisfied that the conditions of the licence had not been adhered to on the date of the incident, as the premises had been open after the prescribed hours. The Sub-Committee were satisfied that this failure to adhere to conditions risked the Prevention of Crime and Disorder licencing objective not being upheld.

The Sub-Committee found it of concern that the Applicant did not respond to the Police initially and only made contact, (on her account) after around one and a half

months. The Sub-Committee resolved that a responsible Designated Premises Supervisor ('DPS') would have engaged with the Police earlier as she has a duty to be a single point of contact with Police, the Local community and Local authority in respect of any issues concerning the premises.

The Sub-Committee resolved that if the application were to be granted there could be a failure to promote the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Safety.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.