

Temporary Event Counternotice

served pursuant to s105(2)(b)

GINA'S (Blooming Scents Café)

639 High Road Tottenham, London N17 8AA

Hearing 9 June 2025 at 11:30am

The Panel carefully considered the Temporary Event Notice ("TEN") served by the Applicant dated 26 May 2025, the representations from the Metropolitan Police and the Applicant made both orally and in writing and prior to and at the meeting and of the Council's Noise team made in writing prior to the hearing, the Council's Statement of Licensing Policy and the Home Office guidance under section 182 of the Licensing Act 2003.

Date applied for: 12 to 17 June 2025

The TEN was served in respect of the following licensable activities:

- a. Regulated Entertainment**
- b. Late Night Refreshment**
- c. Supply of Alcohol both on and off the Premises**

from 2200 to 0100 on those dates, for up to 100 people.

The Panel Resolved:

That to allow the licensable activities stated in the TEN to go ahead would undermine the licensing objectives of public safety, prevention of crime and disorder and the prevention of public nuisance.

That it therefore considers it appropriate to give Counternotice; which has the effect that the licensable activities set out above ("the activities") shall not be permitted

Reasons

The premises is situated on Tottenham High Road a few minutes' walk from the Tottenham Hotspurs ground.

The premises has residential properties directly opposite.

The existing premises Licensee is Blooming Scent Limited, and designated premises supervisor (DPS) is Eugenia Moffatt.

Ms Moffatt gave evidence to the panel that the premises operate as a family run type of business, where family and friends can come. It is not structured as a pub or drinking venue, it is more of a friendly settings with tables and chairs where people can sit on sofas and have drinks with their family and friends.

The operating schedule permitted by the existing licence is as follows:

Recorded Music & Performance of Dance

Monday to Sunday 1000 to 2200

Supply of Alcohol

Monday to Sunday 1000 to 2200

The opening hours of the premises:

Monday to Sunday 1000 to 2200

At a hearing on 4 November 2024 the Licensing Sub-Committee granted a conditional variation to this schedule to the following hours (together with an increase in the area licensed):

Live music and Performance of Dance

Sunday to Saturday 0900 to 2300 hours

Recorded Music

Sunday to Thursday 0900 to 2300 hours

Friday and Saturday 0900 to 0100 hours

Late Night Refreshment

Friday and Saturday 2300 to 0100 hours

Sale of Alcohol

Sunday to Thursday 1000 to 22:30 hours

Friday to Saturday 1000 to 00:30 hours

Hours open to the Public

Sunday to Thursday 0900 to 2330 hours

Friday to Saturday 0900 to 0130 hours

The conditions imposed are set out fully in that decision, a copy of which accompanies this Notice of Reasons; but they included conditions that the variation not take effect until:

“(i) a Noise Management Plan (NMP) provided by a qualified sound engineer or acoustician has been approved by the Local Authority Noise Team.

The NMP shall include provisions dealing with noise and disturbance from smoke, odour, music and voices emanating from all areas of the premises, and installation of a noise limiter of specification and settings approved by the Noise Team.

(ii) the Local Authority has approved a written plan by the Licensee setting out controls that will be put in place for use of the outside area, and how they will control patrons on Tottenham Hotspurs Football Club Match and Event days and other days.”

and that the Licensee comply with both plans.

Responsible authorities

Objections were made by two Responsible Authorities: the Police, and the Local Authority Noise Team on the grounds that the licensing objectives of Public Safety, Prevention of Crime and Disorder, Protection of Children and Prevention of Public Nuisance, would be undermined.

Evidence was given of drug paraphernalia being found in the car park behind the premises, although Ms Moffatt denied responsibility for policing use of the car park, which could be accessed otherwise than via the premises.

The Noise Team had reported via the Licensing Officer that they had attended the premises over the previous weekend due to noise levels

The Responsible Authorities drew attention to the fact that the TEN covered a period when there would be two events – Beyoncé concerts – at Tottenham Hotspur Stadium, but that it did not address the public and children safety, crime and disorder and public nuisance issues raised by those events which were described both in writing and (by the Police) at the hearing. Indeed the TEN does not even refer to them.

Both Responsible Authorities were concerned that the Licensee's failure to address those issues in the TEN gave them little confidence that the licensing objectives would be upheld.

The Licensee

The Licensee had indicated via its Legal Representative in the leadup to the hearing that the event for which the TEN was served was simply late opening of the premises' usual operation; there would be no specific event held within the premises. She confirmed however that the timing was to take advantage of the increased footfall from the Beyoncé concerts.

Ms Moffatt confirmed that, and indicated that she would have 3-4 security staff on hand and over 10 staff on duty in total.

She confirmed that while the varied licence allowed her to stay open until 01:30 and to serve alcohol until 00:30, at the weekend, the TEN was for the period 22:00-01:00 on every day because she was still operating under the terms of the unvaried licence; she had not yet complied with the conditions of variation although she had now put the money together to install the sound limiters and things to do so; work would start the following day.

The panel

The panel retired and considered the TEN and evidence given.

The panel was particularly concerned that the Licensee had not yet complied with the conditions imposed on the licence variation agreed on 4 November. One of those conditions was that the Licensee produce an approved written plan setting out the controls it would put in place, and how they would control patrons, in the circumstances of matches and major events taking place at Tottenham Hotspur Stadium. Despite the fact that that was the background to the TEN, there was no written plan and the only evidence of any such arrangements had been provided in response to specific questioning by the panel.

The Panel had no confidence that the Licensee was taking seriously its obligation to uphold the licensing objectives detailed above which the conditions imposed on 4 November 2024 were intended to uphold in these circumstances, and resolved to serve Counternotice preventing the event detailed in the TEN taking place.

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