

**LONDON BOROUGH OF ENFIELD LICENSING AUTHORITY  
LICENSING ACT 2003 – SECTION 53A  
DECISION NOTICE**



**LICENSING SUB-COMMITTEE – 17 JULY 2014**

Application was made by the **METROPOLITAN POLICE SERVICE** for the premises known as and situated at **GOLDEN PALACE, C38 & C42, 35 HARBET ROAD, EDMONTON N18** for a **SUMMARY REVIEW** of the premises licence.

The Licensing Sub-Committee considered that it wasn't necessary to take any interim steps.

**Reasons:**

The Chairman made the following statement :

"The Licensing Sub-Committee (LSC) convened in person to consider the Summary Licence Review brought by the Metropolitan Police Service (MPS) with regard to the licence covering Golden Palace premises on Harbet Road, Edmonton.

In its deliberations, the LSC acknowledged that without doubt, the incident which occurred at the rear of the venue in the early morning of 12<sup>th</sup> July, was of a most serious nature; and will be the subject of criminal prosecutions in a court of law at a future time.

The statements by PC Fisher and Superintendent Robinson both proffer their opinions that the premises is associated with serious crime and disorder; and that they have concerns that further incidents of a similar nature are likely to take place by way of revenge. However such concerns do not, evidentially, link to the premises as a focus for any such future incidents.

From the bundle of criminal intelligence and other police papers, we were told that the premises has previously been associated with crime and disorder, with known incidents of firearms being taken to, if not necessarily within the venue. And yet, on the basis of such information and limited episodes of relatively minor assaults having occurred at the premises, the MPS had not to date seen fit to call a review of the licence or to facilitate, by agreement, strengthening the conditions of the current licence.

Indeed, on one occasion, according to the statement of PC Fisher, the licence holder (Mr Hastunc) acted in direct response to a police request to cancel an event that was due to take place as a preventative measure to head off a potentially serious incident involving firearms.

No indications exist, either from previous dealings, or within the present application, to suggest that the operation of the premises licence is poorly managed or operated inappropriately.

There is limited information or evidence to suggest this was the case on 12<sup>th</sup> July either.

It is the decision of the LSC that no interim steps are necessary pending the determination of the full review on the 6<sup>th</sup> August 2014.

There is no evidential link in the application to indicate or suggest that supply of alcohol was

in any way material to the incident that took place. The conditions of the licence, in our opinion, remain appropriate to the nature of the premises and legitimate activities taking place there. And we do not feel from the application that the actions of the licence holder and DPS actively contributed to the specific incident of 12<sup>th</sup> July.

In coming to its decision, the LSC focused therefore on whether suspension of the licence pending the full review would be necessary for the effective promotion of the licensing objectives.

It was the view of the LSC that there was insufficient evidence compelling enough for members to take such a step, in spite of the serious nature of the incident covered in the papers.

The MPS was not able to demonstrate whether any licensable activity was taking place in the hours more immediately preceding the incident, whether the licence holder, DPS, or both had knowledge of any incidents requiring them to call the police or other emergency services at any time beyond 03:00, or that the licence was actively being breached to a level that might lead to suspension of the licence.

We note that there was a number of people still present inside the premises, and congregating outside, beyond the terminal hour on the licence, but we were presented with insufficient evidence to determine a direct linkage between poor or inappropriate management of the premises, poor or inappropriate operation of the licence, and the incident that ensued.

Nor could we be sufficiently satisfied that the criminal activity was initiated or directly predicated by events inside the premises, or linked to the premises.

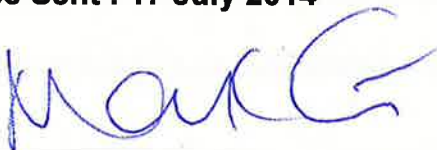
Such evidence may indeed exist, and the MPS and the licence holder will have an opportunity at the review meeting to present (orally and prior written submissions) more detailed accounts of what actually took place and what steps were taken on the evening and night of Friday 11<sup>th</sup> into Saturday 12<sup>th</sup> July, to a degree that was not available to the LSC in the papers supporting this application.

In conclusion, the LSC noted that the MPS did not appear to consider that a combination of the track record of the premises (as alleged), the intelligence they held, nor the shooting and stabbing incidents that occurred, was sufficient for them to deploy the alternative powers open to them under Sections 161 – 165 of the Licensing Act 2003 to close the premises.

Furthermore, there was no explanation, as covered in the Section 53A Summary Review Guidance, as to why other powers or actions were considered not to be an appropriate response to the serious nature of the incidents that took place as a result of a disturbance in very close proximity to The Golden Palace.”

**Date Notice Sent : 17 July 2014**

**Signed :**



**Principal Licensing Officer**