

The Black Horse,  
Hertford Road,  
Enfield,  
Middlesex

18<sup>th</sup> October 2015

Dear Members of the Committee,

### **The Black Horse – Application for Review**

I am writing this letter to deal with some of the issues raised by the Review hearing set for Wednesday. In essence subject to some minor modifications (that I have discussed with the police) I agree with the suggestions of the Police and the Licensing Authority.

#### **HISTORY AND EXPERIENCE**

I have been a Licensee at the Black Horse for the past twenty-one years. When I first took over the premises they were owned by Entrepreneur. The premises were in quite a dilapidated condition and had a bad reputation. I was then about forty-five years old and my husband and I ran the premises. We sold two of our properties to provide £350,000 to invest in improvements at the premises, improving the décor, the facilities and turned the property around.

Sergent Carroll was the Licencing Officer at Enfield at the time and we got on well with him and we believe his successor Sgt Murphy, P C Fisher and now PC Marsh.

In the 1990's the premises were doing well and it did become a good family outlet with a good food offering including Sunday roasts and a full menu.

On conversion of the Licence in 2005 we varied the Licence successfully obtaining an extension to our ordinary hours.

In 2007 we won the Silver Award for Hotel accommodation awarded by Enfield in Bloom

In 2009 there was a review and live and recorded music was removed as a licensable activity in the garden area and conditions modified.

In recent years whilst playing an active role in the business my health has begun to deteriorate and I take medication for high blood pressure.

## **OPERATION BETWEEN 2013 AND JANUARY 2015**

I do not dispute the matters as reported in Charlotte Palmer's statement. I believe the main issue here was the volume of the recorded music that was played. Errors were made. It was thought that the music was background music, but I accept that it was not. I was not present on the evening the authority attended.

We addressed a number of the issues but I do accept that paper admin is not my strong point. My talent is engaging with people, particularly customers and building my business by personal rapport and a friendly approach.

Between September 2013 and November 2014 no issues were raised by any of the authorities and I thought things had improved.

I was delighted to be told on a routine visit I think from the Police in January 2015 that matters were progressing satisfactorily.

In 2013 we decided to move the office and items were boxed up. On 30th April 2013 I carried out training with regard to toilet checks, licensing, dealing with violence and drugs. On 30th August training was carried out with regard to drugs policies. Thereafter drugs awareness training was carried out in December 2014.

## **SMOKING SHELTERS**

With the introduction of the restrictions on "smoking" we sought to provide nice, comfortable outside areas. My husband entered into an agreement with people to run these units independently. Eventually they acquired a reputation where Shiasu could be smoked.

It soon became clear that these were not people to tangle with and I became scared of some of the people who came into the garden I had severe personal and family problems. In hindsight I should have taken a harder line and required the business to cease. I was suffering stress and taking medication for high blood pressure.

I would accept that I took my eye off the ball. Having spent virtually all of our savings on the premises we had little funds to invest.

## **FUTURE OF SHIASU HUTS**

These are to be removed as soon as possible. I have engaged Mark Chapman of M. C. Chapmans Ltd, 49 Hedgehill EN2 17RT to carry out this work. The beer garden will revert to a

traditional beer garden to close at 21.00 hours. Smoking will be permitted at the front area of the premises under cover of the canopy.

### **PROBLEMS SINCE JANUARY 2015**

Matters sadly took a downturn since January 2015 culminating with the incident that has led to this review in August. The offender made a threat which I interpreted as a threat to kill me if I reported the matter to the Police. I was scared for myself and my family. I had had informal conversations with PC Fisher about this in the past but we didn't know how to take it forward on a more formal basis without putting me and the family at risk.

I accept that I did not act appropriately or rationally at the time. I was petrified scared out of my wits. The evidence of PC Marsh is accepted.

### **MY FEELINGS ABOUT THE REVIEW PROCEEDINGS**

It is only over the past couple of years that problems have begun to occur and I do rely on my record prior to that for about nineteen years as a good Licensee.

I feel terribly ashamed by the current review proceedings.

My feeling is that if I close the garden completely at 21:00 hours as requested by the Licensing Authority, move smoking to the front of the premises and drastically cut my evening hours as requested that I can eliminate the problems that have arisen.

I accept that both I and my daughter have not done everything required of us and that I should step down as DPS.

### **THE FUTURE**

I have interviewed and taken on Wendy Glasgow to be my new DPS. I have given her complete control over the premises and she has carte blanche to take the premises forward in her own way. Her decision as DPS will be final.

She has decided to appoint a colleague who used to work with her, Josephine Wilson to be the kitchen manager. Josephine is booked in to take her Personal Licence Holder exams on the 10<sup>th</sup> November. (Attached is a menu that Jo has prepared that we wish to put into place and advertise as soon as possible)

## **RESPONSE TO THE ISSUES RAISED**

I feel a new DPS together with Josephine will bring in a new management style. I have been through the conditions proposed by the Police and the Licensing Authority. In principle I agree with these conditions. At the end of my statement are the conditions proposed by the Police and LA, I have amended in red the conditions that it is proposed replace the stated conditions

I agree with the Police proposal that the hours of operation be cut. This will have a radical effect on the premises and punish me severely financially. I agree that the premises should close for a short period of time. In recent discussions with the P C Shaw it was agreed that the period of 28 days be reduced to 7 days provided all other conditions have been complied with.

The proposed wording is:

***“A period of suspension for not less than 7 days AND until the conditions have been implemented and checked by police or licensing authority”***

The CCTV was updated in September and inspected by PC Fisher who advised all was in order. PC Marsh has kindly agreed to visit on Monday to confirm that the CCTV upgrade meets licensing requirements.

I agree that it is sensible that we retain a door supervisor who will search persons before entry to the premises. This will be a big cost for us and will apply whenever the premises are open from 20.00 hrs to 30 minutes after the close of the premises. P C Shaw has kindly agreed to modify the wording to read that:

***That there be a minimum 1 door supervisor on duty daily from 20.00 – 30 minutes after close of the premises.***

**With Wendy as the new DPS the requirement to remove me as the DPS will disappear.**

It is my wish to take these premises forward as a food based business. I run a bed and breakfast here and will continue to do that. However with Josephine's assistance as the Kitchen Manager we propose to build the business now by providing Christmas Dinners and build the business over December to enable us to take the business forward in the style that is proposed.

Because we want to attract families the Licensing Authority have agreed to amend the condition proposed that would prevent children being permitted on the premises to read :

***“Persons under 18 shall not be permitted to enter or remain in the licensed area of the premises after 19.00. Any person under 18 in the licensed area prior to 19:00 shall be accompanied by an adult at all times’***

We wish to change the whole format of the business, get rid of the Shiasu huts, which is a cause of the problem. The appointment of a new DPS and Manager will provide an independent focus and energy to help to take the business forward on a constructive basis.

### **FUTURE TRAINING**

I have asked my Solicitor who is a BII Trainer to arrange for further drugs awareness training and refresher licensing training in the next two weeks.

Wendy has drafted up a new Training Manual which will provide a more structured and comprehensive training package and incorporate clear written on the policies that she wishes should be in place at the Black Horse.

This manual will be reviewed by her and updated as necessary. Jo Wilson our new Kitchen Manager used to be a trainer and Team Leader working with Wendy and together they will ensure that all the admin, procedures, records and training requirements are properly complied with.

I am very sorry for what has happened. I have a long record of service in Enfield, much investment in these premises and a keen desire to get things right. I am grateful for the assistance that has been given in the past and I wish to continue to work with the authorities. Most importantly I wish to ensure that The Black Horse not only complies with the Licensing Objectives but is a set of premises that Enfield can be proud and that we turn around the custom that is currently being attracted to the premises.

SIGNED:

  
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ISIL BUSURK