

Licensing Sub-Committee Supplementary Agenda



**5. Licensing Act 2003 - Application For a Premises Licence at 17
Portland Road, South Norwood, SE25 (Pages 3 - 6)**

Additional papers for the Licensing Sub Committee.

ASMAT HUSSAIN Executive Director of
Resources and Monitoring Officer (Interim)
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Tariq Aniemeka-Bailey
020 8726 6000
tariq.aniemeka-bailey@croydon.gov.uk
www.croydon.gov.uk/meetings

This page is intentionally left blank

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC Woods p215834** URN:

01	ZC		21
----	----	--	----

Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: **Police p215834**

This statement (consisting of: **1**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: 

Date: **20/08/2021**

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

This statement refers to the viewing of a number of MP4 video files which were sent to me via email from PC Zoe Garrod. These files were initially sent to her by Croydon Council Licensing mailbox. I am named above and have worked in the Croydon Police Licensing team for 18months. PC Garrod has been the OIC in an ongoing licensing case involving Seafood Den Restaurant at 17, Portland Road, South Norwood and its recent application for a Premises Licence. PC Garrod originally received the files via email on 10th August 2021 however, unfortunately she has been away on compassionate leave, hence why the files were only received by myself on 18th August. I believe the files were sent by the owner of Seafood Den Restaurant, Mr Eniola in order to prove his restaurant has not been contributing to ASB which has been reported from residents of that area.

I have been to Seafood Den restaurant on a number of occasions over the past year and I am familiar with the layout. From the rear of the restaurant there is a large garden, laid mainly to astro turf. The garden measures approximately 25-30 metres long and approximately 12-15m wide. A wooden gazebo structure has been erected at the far end. The garden is enclosed by 6-8ft fences on either side. The garden has a variety of outdoor tables and chairs and some coverings in the form of occasional use marquees.

On Friday 20th August at 1000hrs I viewed all seven (7) MP4 files at Addington Police Station on my own. The footage appears to me to have been recorded on a mobile phone. The person recording is not seen and not heard talking. Although all of the video footage seems to be recorded in a landscape format instead of a portrait, which would be easier to watch, the clips can all be viewed and are mostly of a clear nature. The date and times are not recorded on the footage and therefore I have had to guess at what times of day these were filmed. Below is a short account of what each of the clips show and what can be heard. Also listed is how long each clip lasts:

Video 1 – 1m16s – Unsure when this was filmed as the screen only shows a half red and half black screen. No persons or property can be seen. Voices are heard talking in the background but not particularly loud.

Signature: 

Signature witnessed by:

2006/07(1): MG 11(T)

RESTRICTED (when complete)

Continuation of Statement of **Pc 471ZD Woods p215834**.....

Video 2 – 33secs – Film shows empty rear garden of Seafood Den but not the restaurant itself. Looks to be late at night. Sounds of loud voices can be heard in the background and these appear to be coming from rear gardens in direction of numbers 19 or further away. Looking out from Seafood Den this would be over the right hand fence.

Video 3 – 32secs – Film shows rear garden of Seafood Den however for a split second the camera pans round to the restaurant and it appears people are leaving through the front door onto Portland Road. The video is late at night. A large table is littered with empty bottles of what appear to be lager bottles. These are perhaps the remnants of a gathering or small party. Noise can be heard coming from the right hand fence again and this consists of loud voices from a number of people. Unable to decipher which premises though.

Video 4 – 42secs – Film shows empty garden of Seafood Den but not the restaurant itself. Appears to be either early morning at sunrise or early evening at sunset. Again, loud voices can be heard from an unknown venue and its possibly a lot of people.

Video 5 – 40secs – Film shows mainly the right hand side fence of an empty Seafood Den garden but not the restaurant itself. Loud music can be heard from the other side of the fence but unsure as to which premises it is coming from specifically.

Video 6 – 1m08s – Film appears to have been taken late at night (very dark). It shows the empty rear garden of Seafood Den. Faint music can be heard but this appears to be coming from the other side of the fence on the left this time, towards number 15 Portland Road or the flats on Albert Road. Also, there are the sounds of loud voices – perhaps that of a party/gathering. Unsure which premises exactly.

Video 7 – 2m03s – Film shows the empty garden of Seafood Den but not the restaurant itself. Possibly filmed in the early evening due to the light. Very loud voices, some shouting heard from other side of the right side fence again. Sounds like a large gathering. Unsure which premises exactly.

All of these clips will now be saved to a DVD.

Signature:

Signature witnessed by:

From: kola eniola [<mailto:>]
Sent: 28 July 2021 11:36
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Seafood den. 17 Portland Road

Hello,

I have received objections from the police and Croydon's noise team in regards to my premise licence application.

The objections are as a result of noise pollution and anti social behaviour in the area.

I have stated to the authorities I have had conversations with that my restaurant is not responsible for the disruptions on Portland and Albert road.

I have attached a few videos from the 7th to 23rd June showing my outdoor area completely empty while there is music and loud noises from a next garden.

I was advised to take these recordings as a lot of the complaints were people assuming the noise is coming from the only restaurant on Portland road.

I have been complying with the council and other authorities rules regulations and conditions.

I have done all that was required of me also.

O Eniola

This page is intentionally left blank