

ADDITIONAL PAPERS

SPECIAL LICENSING SUB COMMITTEE

Tuesday, 25th January, 2022, 7.00 pm - (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Gina Adamou, Luke Cawley-Harrison, Reg Rice

Quorum: 3

**6. APPLICATION FOR A NEW PREMISES LICENCE AT THE BROADWAY,
266 MUSWELL HILL, BROADWAY, LONDON N10 2QR (PAGES 1 - 10)**

To consider an application for a new premises licence..

Nazyer Choudhury, Principal Committee Co-ordinator
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Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Tuesday, 25 January 2022

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date	time	complaint	how received	Officer Notes	Outcome
11/10/2020	20:26	Calling to report that the neighbouring premises has the doors open which is creating alot of noise from the music they are playing. This has been happening for the past 2 hours now	Phone	Visit Premises. Music could be heard on the street. Spoke to the owner/manager who immediately turned down the music.	noise confirmed - reported
11/10/2020	21:32	Very loud music coming from the Broadway bar on Muswell hill. It can be heard from the street and my living room with the windows closed.	Phone	Contacted Complainant. Noise stopped. No Visit	no visit
23/05/2021	01:32	The Broadway bar in Muswell Hill Is breaching it's liscence. The condition of it's license is that noise should not be heard outside the premise. As a resident I can hear the noise inside my flat.	email	Already spoken to Mr Callum Quinn of the same address	no visit
23/05/2021	23:42	Loud music from the bar	email	Complainant stated that the business will be closed by the time we arrive there-he's concern is about the breach of licence-to email Daliah.	nuisance not established
27/06/2021	18:35	thumping bass from the broadway nigh club can be heard throughout our aprtment even with the windows closed. even louder than last time.	email	comp says noise is not on now but was on last night, the whole property shakes, advised comp to download noise app and submit	no visit
27/06/2021	19:03	noise and thumping bass from the club. licence states noise should not be heard from outside the club, but door has been left openwith music playing. ongoing since around 5pm. noise is more audible from the back where dukes mews is	email	visited 20:48 - arrived at back of premises and music was slightly audible -(music could not be heard from the front of the premises) no way excessive or loud, couldnt make out any words from songs that where being played. no people gathering around the venue smoking or drinking, could hear very slight bass - spoke to manager of the broadway and told her to turn down the music slightly which she did - called comp back and asked him if he could hear the music which he said he couldnt, told manager to keep the music at theat level and no higher going forward to avoid further complaints	noise resolved
19/08/2021	23:48	Loud music and back doors open which is breach of licence conditions caller is unable to sleep and working early tomorrow	email	email to complainant - We have issued a warning about the need to control noise from loud music and their customers today. We have also reminded them of the need to comply with the conditions of their licence. We hope this will resolve the matter but if this does not please report future incidents to us so that we can build a case for enforcement. We will review this matter then and determine the next steps.	noise resolved
19/08/2021	22:57	Caller reporting loud music/drum and bass from the Broadway Bar and states this is an ongoing issue	email	visited 23:50 - front door was closed on arrival but the rear door was open. words of advice given. Complainant would not allow entry to property due to covid fears	nuisance not established
19/08/2021	23:18	thumping bass noise from the Broadway bar, 266 Muswell hill Broadway can be heard in my bedroom with the windows shut. This is now a regular occurrence which prevents me from sleeping send an enforcement officer to investigate. Reference ID: HC-11585652	website	none recorded	log only
20/08/2021	09:59	Loud music from The Broadway Bar, 266 Muswell Hill Broadway, disturbing neighbouring residents. Until 11.30pm ID: HC-11585827	website	email to complainant - We have issued a warning about the need to control noise from loud music and their customers today. We have also reminded them of the need to comply with the conditions of their licence. We hope this will resolve the matter but if this does not please report future incidents to us so that we can build a case for enforcement. We will review this matter then and determine the next steps.	no visit
15/08/2021	01:14	Loud music from the Broadway bar, 266 Muswell hill Broadway, N10 2qr. Can be heard in my bedroom with windows shut.	website	email to complainant - We have issued a warning about the need to control noise from loud music and their customers today. We have also reminded them of the need to comply with the conditions of their licence. We hope this will resolve the matter but if this does not please report future incidents to us so that we can build a case for enforcement. We will review this matter then and determine the next steps.	no visit
29/08/2021	23:20	Loud music and people speaking outside and loudly. Music seems to come from a car that has all doors open	email	email to complainant - We have issued a warning about the need to control noise from loud music and their customers today. We have also reminded them of the need to comply with the conditions of their licence. We hope this will resolve the matter but if this does not please report future incidents to us so that we can build a case for enforcement. We will review this matter then and determine the next steps.	no visit
10/09/2021	08:09	The Broadway Bar on Muswell Hill Broadway is blasting loud music, that we as residents can hear. This is a residential area and this establishment has conditions on its licence, which this level of noise is breaching.	Phone	On arrival at the venue there were people outside smoking and chatting, there was a party going on inside, from streeet level the music was not excessive, one of the staff came out to speak with us and i told them we had received a number of complaints about the noise, he immediately wnet back in the venue and had the music turned down, he apologised	noise resolved
10/09/2021	00:24	noise	Phone	no answer when called complainant	no visit
11/09/2021	00:23	noise	Phone	no answer when called complainant	no visit
22/09/2021	00:01	Thumping bass is emanating from The Broadway Bar into my home.	email	none recorded	no officer on duty
26/09/2021	00:35	reporting an ongoing issue of loud bass music coming from this licensed premises. It's meant to be a restaurant. An email has already been sent saying that if this happen again action will be taken. They were given their license back with conditions.	email	none recorded	log only
07/10/2021	07:12	Loud music from the Broadway bar, 266 Muswell hill Broadway. Bass noise can be heard/felt throughout my flat.	Phone	when visited door was wide and the music was audible on street level. when attended and spoke with the manager thye said the doorman was sick and that is why the door has been left open. warned.	Verbal warning

07/10/2021	23:06	loud music	email	as arrived at location could see front doors open and music coming from premises. Spoke to manager who stated that the security door staff had to call in sick. advised regarding leaving the door open. Spoke to comp after door was closed and he advised that he could no longer hear it. Advised comp that we were on all weekend and if the doors were left open to call us back.	nuisance not established
09/10/2021	20:06	hear the noise from a club next door in my living room Caller is reporting loud bass music coming from the Broadway pub next door, ongoing issue. The caller can feel the bass in his flat. Tried to log on website but says	email	as we arrived on scene we could clearly hear music outside the premises. went in and spoke to the Manager on site called Andrew Theo. He could not produce the licence on site at the time of visit stating that it got knocked off the wall and they were awaiting a replacement. He was advised that the only music allowed was background music and that the current volume was too high. He had a DJ on for what looked like a birthday party.	sent to licensing
10/10/2021	12:14	it's not working tonight Broadway can be heard from inside my apartment. Groups gathering on street with drinks, customer cars parked with music directly below my window. There	phone	noise was loud in the bar. this was the 3rd call this weekend. the licence states background music which wasnt being played in the bar. warned again.	Warning
14/10/2021	22:29	appears to be no security on the door.	email	Not loud now- no visit required	no visit
15/10/2021	01:17	Music playing outside so loud I can feel it in my bedroom	Phone	No answer - left a message	no visit
30/10/2021	11:00	Family all woken at 3am by loud bass noise coming from the Broadway bar 266 Muswell hill Broadway. Crowds gathering and shouting outside our bedroom window, slamming car doors and horns. Noise continued until around 3:30am	website	no action recorded	
30/10/2021	14:02	Loud noise last night until 3am.Cars parked on the pavement with their doors open and loud music blaring .Partying outside 266 Muswell Hill Broadway after it closes .This happens regularly. ID: HC-11678622	website	no action recorded	
31/10/2021	18:07	1.30am Sunday 31 November shouting and loud music emanating from outside The Broadway club. Parked cars playing loud music and drunk patrons shouting whilst standing outside on the pavement directly below bedroom windows. ID: HC-11679607	website	no action recorded	
07/11/2021	02:44	Music	Phone	no action recorded	no officer on duty
07/11/2021	02:54	Music	Phone	no action recorded	no officer on duty
07/11/2021	19:15	Several cars had parked blocking in residents bays all evening. Saturday 6 Nov, 2.38am there was a queue of cars leaving at the same time - playing loud music, shouting and sounding their horns, loud enough to wake residents living directly above.	Phone	no action recorded	no officer on duty
19/11/2021	22:39	bass noise and vibrations can be felt throughout my flat coming from the broadway bar	Phone	no answer from comp	no visit
21/11/2021	21:42	thumping bass noise can be heard and felt in our flat coming from the broadway bar 266 muswell hill broadway	Phone	arrived at comps address, comp says they have turned the music down.	resolved
17/12/2021	22:56	The bass from the loud music in Broadway bar (266 Muswell hill Broadway) can be heard throughout my flat. I have an early start tomorrow and could really do without this	email	no answer when called complainant	no visit
18/12/2021	09:54	Severe noise after 2pm from the Broadway 266 Muswell Hill. Yet again loud music car horns and shouting outside our flat. When will you stop this?Always after your emergency line closes. ID: HC-12730118	website	no action recorded	
18/12/2021	14:30	Patrons of the Broadway bar entered our development (pinnacle close) after leaving the bar. There was significant noise disturbance due to shouting, loud music played from cars and antisocial behaviour. This occurred at 2:30am on the 17th decemberID:	website	no action recorded	
25/12/2021	09:59	Last night 24th December after 2.00am shouting and cars beeping for some time from customers leaving the Broadway. Can no one stop them partying in the street and waking me up. ID: HC-12751603	website	no action recorded	no service

LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG766668

Premises Licence Number: LN/00001284
LN/000003138

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
1st Floor-North, River Park House, 225 High Road,
Wood Green, London N22 8HQ**

Signature: Date: 24th November 2005
Transfer & Vary DPS: 17th February 2020

Part 1 – PREMISES DETAILS

Postal Address of Premises or, if none, Ordnance Survey map reference or description:

**THE BROADWAY
266 MUSWELL HILL BROADWAY
LONDON
N10 2QR**

Telephone: 0208 444 3370

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol

Regulated Entertainment: Recorded Music

Provision of Late Night Refreshment

The premises will not be operated as a night club.

The times the Licence authorises the carrying out of licensable activities:

Supply of Alcohol

After 2300 hours on any day, all alcohol shall be sold only at a table with a meal.

Sunday to Thursday 1100 to 0000

Friday to Saturday 1100 to 0200

Recorded Music

Sunday to Thursday 1100 to 0000

Friday to Saturday 1100 to 0200

Supply of alcohol and Recorded Music on Sunday that proceeds a Bank Holiday only from 1100 to 0200 hours. New Year's Even until 0330 hours.

Provision of Late Night Refreshment

After 2300 hours on any day, all alcohol shall be sold only at a table with a meal.

Sunday to Thursday 2300 to 0000

Friday to Saturday 2300 to 0200

LICENSING ACT 2003
Sec 24

Any Sunday that proceeds a Bank Holiday only from 2300 to 0200 hours. New Year's Even until 0330 hours.

The opening hours of the premises:

Sunday to Thursday 1100 to 0030

Friday to Saturday 1100 to 0230

Sunday that proceeds a Bank Holiday only from 1100 to 0230 hours.

New Year's Eve until 0400 hours.

Christmas Eve to open one hour longer than ordinarily permitted on that day, with all licensable activities to cease 30 minutes before that time.

Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:

Supply of alcohol for consumption **ON** and **OFF** the premises.

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:

Savvas Morgan

Registered number of holder, for example company number, charity number (where applicable):

Not applicable

Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:

Savvas Morgan

Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the Premises Licence authorises for the supply of alcohol:

Annex 1 –Mandatory Conditions

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

Annex 1 –Mandatory Conditions

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature.

6. The responsible person shall ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

Annex 1 –Mandatory Conditions

- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door supervision:

All individual(s) at the premises for the purpose of carrying out a security activity must

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

CCTV both inside and outside the premises.

Frequent toilet checks by staff, warning signs in relation to drugs.

Regular checks of the outside of the premises and regular ID checks in order to prevent under age drinking.

The premises will **not** be operated as a night club.

After 2300 on any day, all alcohol shall be sold only at a table with a meal.

There shall be no entry permitted after 0100 on any day

PUBLIC SAFETY

The premises complies with Health and Safety and Fire Regulations and capacity limits are adhered to.

All fire exits are marked.

The bolts to the front entrance doors shall be removed and hung in an approved location whilst the premises are in use and notices shall be exhibited adjacent thereto worded: "THERE SHOULD BE TWO (2) BOLTS HERE WHILST THE PREMISES ARE IN USE"

Means shall be provided for early warning to persons using the first floor sanitary accommodation of any incident within the premises requiring evacuation.

All certificates required by Council shall be submitted promptly when they become due.

THE PREVENTION OF PUBLIC NUISANCE

Sound from the premises shall not be audible at the front façade of the nearest residential premises at any time

All music to be kept at a low level.

Signage requesting that people leave "quietly".

Key staff to be present at all trading hours.

THE PROTECTION OF CHILDREN

Children are only admitted when accompanied by an adult for meals up to 21.00 hours.

No adult entertainment permitted.

An adult must always accompany children to the toilet.

Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

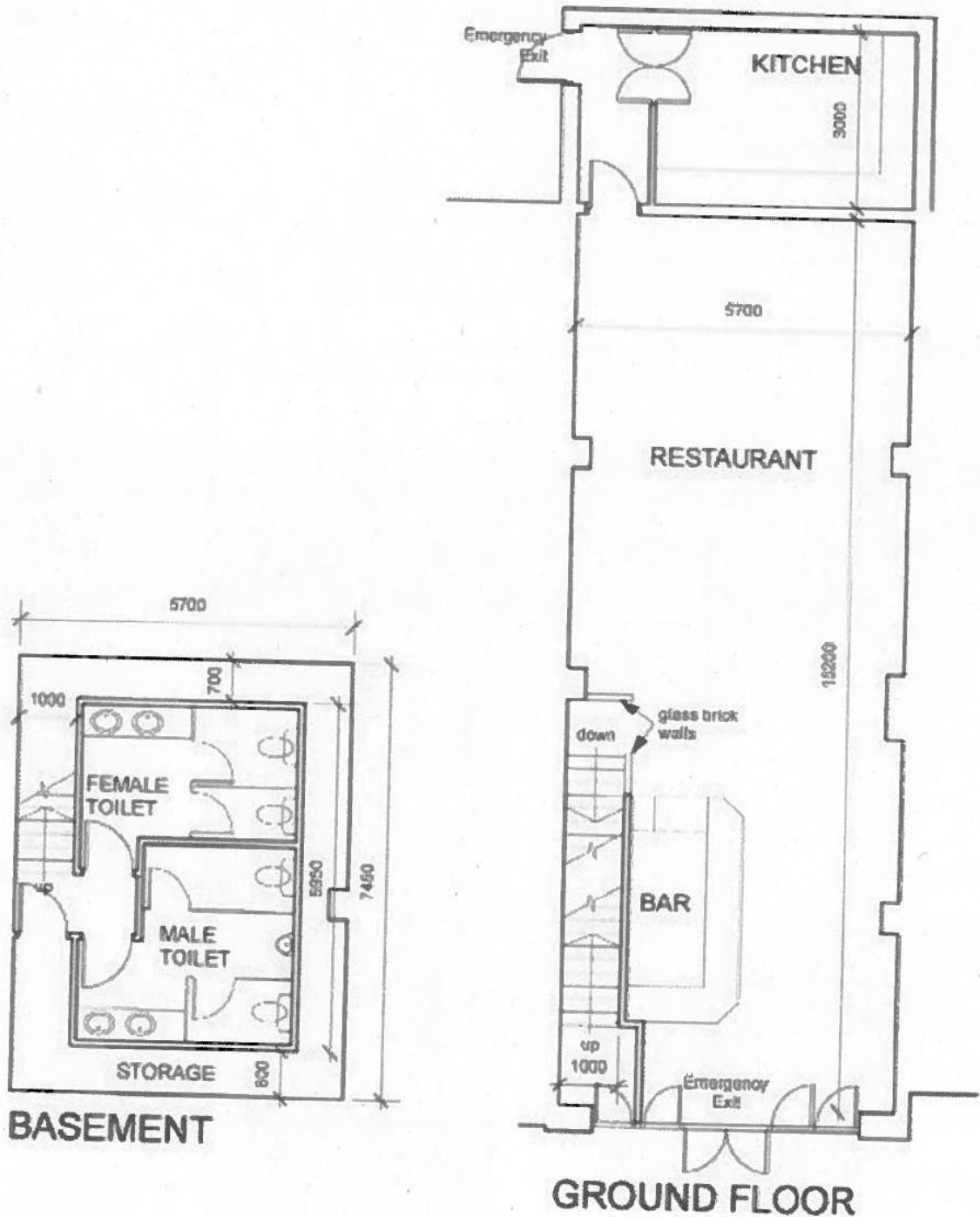
- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

Annex 3 – Conditions attached after a hearing by the licensing authority

Highgate Magistrates Court: 6th March 2018

1. The licence only permits the sale of alcohol, recorded music and late night refreshment. No other licensable activities are permitted by the licence.
2. Sales of alcohol, and recorded music to be permitted between 1100 and 0000 on Sunday to Thursday and between 1100 and 0200 on Friday and Saturday (and any Sunday that proceeds a bank holiday) only;
3. Sales of late night refreshment to be permitted between 2300 and 0000 on Sunday to Thursday and between 2300 and 0200 on Friday and Saturday (and any Sunday that proceeds a bank holiday) only;
4. The premises shall be permitted to be open only between 1100 and 0030 on Sunday to Thursday and between 1100 and 0230 on Friday and Saturday (and any Sunday that proceeds a bank holiday);
5. The premises shall be permitted to open until 0400 on New Year's Eve, with all licensable activities to cease by 0330;
6. Christmas Eve the premises to open one hour longer than ordinarily permitted on that day, with licensable activities to cease 30 minutes before that time.
7. The following conditions shall be added to the licence:
 - a. The premises must not be used as a nightclub.
 - b. After 2300 on any day, all alcohol shall be sold only at a table with a meal.
 - c. Sound from the premises shall not be audible at the front façade of the nearest residential premises at any time; and
 - d. There shall be no entry permitted after 0100 on any day

Annex 4 – Plans



Client Panais Construction Ltd	CAD no	Drawn MST	<p>The drawings, the works and technical documents are the copyright of Stephen George Architects and may not be reproduced, in whole or in part, without the prior written consent of the copyright owner.</p> <p>Do not scale off the drawings.</p> <p>All works, levels, sizes and dimensions to be checked on site before any work is undertaken.</p>
Project 266 Muswell Hill London N10 2QR	Date April 2015	Scale 1:100 @ A4	
Drawing Title NEW FLOOR PLANS	Project No. 7836	Drawing No. 05	<p>SGA</p> <p>STEPHEN GEORGE ARCHITECTS</p> <p>25 CLIFTON PLACE MUSWELL HILL LONDON N10 2QR</p> <p>Tel: 0203 511514 Fax: 0203 511514 sga@sgaarchitects.com</p>