

ADDITIONAL PAPERS

SPECIAL LICENSING SUB COMMITTEE

Wednesday, 18th May, 2022, 7.00 pm - Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Gina Adamou, Barbara Blake and Luke Cawley-Harrison

Quorum: 3

6. APPLICATION FOR A NEW PREMISES LICENCE AT DUKES HIGHGATE, 16 HIGHGATE HIGH STREET, LONDON, N6 (HIGHGATE) (PAGES 1 - 18)

To consider an application for a new premises licence.

Nazyer Choudhury, Principal Committee Co-ordinator
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Email: nazyer.choudhury@haringey.gov.uk

Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Wednesday, 18 May 2022

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Before the Haringey Licensing Committee

In the matter of an application for a new premises licence for The Duke's Head,
Highgate High Street, London , pursuant to Licensing Act 2003

Witness statement of Mr Theodore Joel Hudson

1. My name is Theodore Joel Hudson, but people call me Theo.
2. I am the sole director of that's a big 10-4 Good Buddy Limited that operates the business and has applied for the premises licence.
3. I will be the Designated premises supervisor.
4. Before continuing with my statement may I apologise to the committee for the situation we find ourselves in. I have been naïve and that has led to the unfortunate position we find ourselves in.
5. I will divide my statement into 3 parts:
 - a. The background of the premises
 - b. My background and other persons involved
 - c. The application

The Background of the premises

6. I have looked into the background because of the circumstances that have led to the need for this application.
7. My involvement with the premises started in the summer of 2020 when my brother, Ben and myself looked to rent the premises and open a 'Honky Tonk' country and western themed bar.
8. I met Dave, the landlord, while working in another pub in Highgate, we became friends and bonded over our love of pubs and bars in the north London area. I wanted to run the dukes head because I have always worked for managed houses owned by breweries and wanted an opportunity to run a freehold with a late license.

9. I took the lease from Dave Murphy who has been involved with the premises since the 1980's. He can deal with the history prior to our involvement.
10. We moved into the premises in the summer of 2020. We invested approximately £100k in refurbishment, including kitchen facilities and new cctv system.
11. The works took approximately a year. We looked to open the bar when all premises were opening after the end of coronavirus restrictions in 2021. The opening was delayed as the reopening date was delayed by the Government, but we finally opened on 12th July 2021.
12. There was a licence at the premises, a copy is included in our bundle. The document was consistent with Dave's comments as he believed the licence was held by his father and he had been dps and thought that was still the case.
13. Dave informed us that he had an ongoing legal dispute with the previous tenant, Dukes Head Highgate Limited. I understood this was going to court and Dave asked us to leave the licence in his hands until it was resolved.
14. We operated in accordance with the hours from opening on 12th July.
15. We had live music on a few occasions and played recorded music.
16. There were no complaints to us in respect of the customers noise or the noise of the recorded music or live music.
17. The landlord lives directly above with his father. Dave has been in regular contact with us – almost on a daily basis and he has always indicated that he has no problems with our operation. Neither he nor his father have been disturbed.
18. On 26th March 2022, we were informed there was no premises licence and we could not sell alcohol. We were informed that the licence we believed was in place had been transferred and the company holding it had been wound up. When we were informed of this we closed.
19. The premises remained closed for around 13 days whilst we investigated replacing the licence and giving notice of temporary events.
20. We then operated from 4pm to 1am on Thursdays to Sundays under the temporary event notices.
21. Our final temporary event notice is the weekend of 13th May and we will not be able to reopen until the licence is granted.

22. It probably goes without saying the financial stress this has put on us. It has been very difficult.
23. This application was originally sought on the basis of the licence that was in place. Due to misunderstanding on my part the application only seeks the authority to sell alcohol.

My Background and other persons involved

24. I have worked in bars around London for 15 years. I have never held a premises licence though I have held a personal licence for many years. This is my first licensed business venture.
25. My brother Ben has been a great support and has helped in renovating and getting the place up and running. He has also been supportive in keeping going at this difficult time.
26. The manager is Sinead Mulligan and she has run bars / pubs all over north London since her early 20s. She is now aged 33.

The application

27. The application is for a premises licence for the sale of alcohol every day from 12 noon to 1am day following. I have agreed conditions with the licensing authority.
28. In respect of hours of opening my understanding from the form was that relates to the hours we sell alcohol and so it states 1am. When we operated under the old licence and also under the TENs we operated with the last sale of alcohol at 1am and we allowed customers to leave gradually, and all customers would have left by 01:30. This has not caused any crime and disorder or nuisance issues. Customers are encouraged to leave quickly and quietly by myself as I am generally there, by Sinead and by staff. We also have a notice at the exit reminding customers to respect the neighbours and leave the area quickly and quietly.
29. The premises has a good proportion of customers who are local. This assists in the customers leaving quickly and quietly because they are familiar with the area and people who live in the area.
30. We know who regulars are and so we have a notice in the door window indicating that our last admission is midnight. We generally stick with

that but if one of the local regulars arrives after midnight we would allow them in. Because of the closing time of the premises, we are used by staff of other premises nearby to come and have a relaxing drink after work.

31. The emails from many local people are very humbling and very pleasing. Many people love what we do and the passion we have for our business. That makes me immensely proud of our team.

32. I have had to let one member of staff go because there was no guarantee of work but if the licence is granted we will employ an additional 2 bar staff and also 2 staff in the kitchen.

The contents of this my statement are true to the best of my knowledge and belief.

Signed

Theodore Hudson

Dated 16th May 2022.



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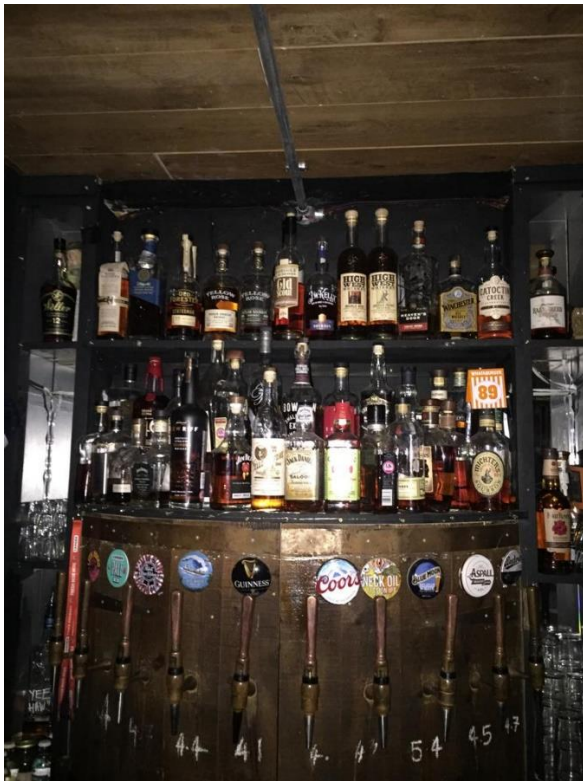




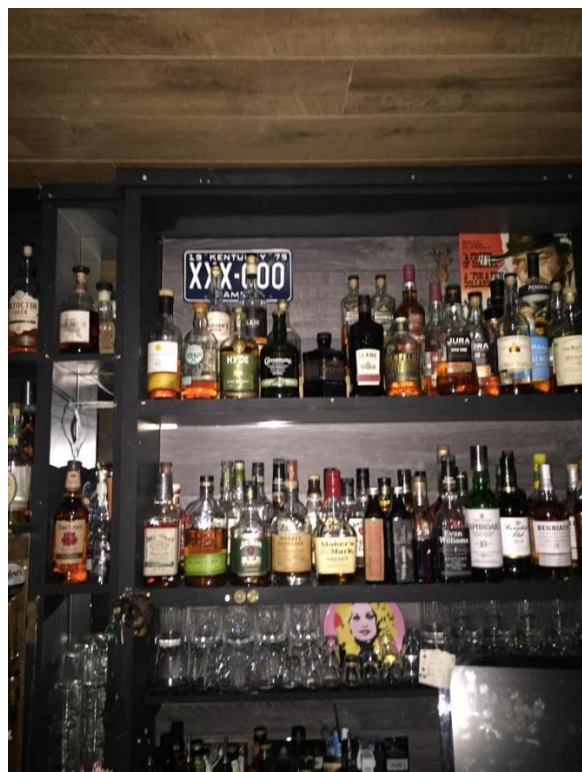
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**Dr HF Hagen
The Highgate Dental Practice
21 Highgate Street
London
N6 5JT**

7th May 2022

LICENSING HEARING 18th May
Re. Application for a New Premises Licence-
THE DUKES HEAD –
16 HIGHGATE HIGH STREET
LONDON
N6

I am writing this letter to ask the planning committee that the license should be considered.

First of all I appreciate and respect the views of "some" members of the Highgate community regarding licensing but I cannot stand by and watch this special business be destroyed by awful statement and false accusations.

My business The Highgate Dental Practice is diagonally across Highgate High Street from The Dukes Head. For years it was a grim pub and then became rather run down under with the last proprietor. It was dirty and neglected and from what I hear falling apart structurally. I was delighted when the new owners took over as it was clear that they poured their hearts, souls and a lot of money to turn it into a very special and unique venue. As you may know it is a themed bar as the owner is an avid collector of Americana. He decided to create a showcase for his wonderful collection, whilst at the same time creating a bright and interesting venue.

When I read what has been written about the venue, the proprietor and the punters I was shocked and embarrassed. I was horrified at the rhetoric in their objections to the licensing application. Terms like red neck bar, tattooed drug users, urinating in the alleyway and other terms were simply in my view nasty, classist, patronising and definitely not what our community strives to be. It is wrong that hardworking people are knocked down without a fair chance just because they do not fit the local criteria. I walk home past this venue every night after work and when it was open I can assure you I did not see any of the drug use by tattooed rednecks whilst urinating in public. I am ashamed at what has been said. I see polite and friendly punters who on a nice evening stand outside on the sidewalk like everywhere else in London. The busy High Street is clogged with traffic and a few punters outside will therefore not make any difference.

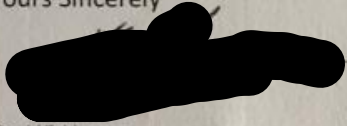
The new owners of The Dukes Head are very experienced I the industry. They deserve a fair chance but if this decision is going to based on the accusations that I have seen then that is not a fair chance. They are responsible and capable business owners and I feel that they will not upset the local community as it not in their interest to do so. Why destroy something that could improve to the diversity of our community? In these hard times small businesses need all the help that they can get. With diminishing footfall we all have work extended hours to pay the bills. If the licensing is not fair The Dukes Head may not survive and this tricky space may become another boarded up eyesore.

Why not give them a chance to prove that they are responsible people? You can always review the license in the future.

So I ask you to please consider giving this special venue a chance and I would also suggest to the licensing team to visit the venue for a drink and to experience the venue first-hand before you make a decision. I am happy to buy you all a drink.

Lastly I do not know the new proprietor of The Dukes Head and I have not been approached for support, so this this letter has been written purely to explain how I feel.

Yours Sincerely

A black ink signature that has been completely redacted with a thick black marker.

Dr HF Hagen

**PREMISES DETAILS [CONT'D]**

Sunday	1200 to 0100
New Years Eve	De-regulation
St Patrick's Day	1100 to 0130

The opening hours of the premises:

Monday to Sunday	1100 to 0130
New Years Eve	De-regulation
St Patrick's Day	1100 to 0200

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

Supply of alcohol for consumption both ON and OFF supplies

Name, (registered) address of holder of Premises Licence:

John Francis Murphy
The Dukes Head
16 Highgate High Street
London
N6 5JG

Registered number of holder, for example company number, charity number (where applicable):**Name of designated premises supervisor where the Premises Licence authorises the supply of alcohol:**

John Francis Murphy

State whether access to the premises by children is restricted or prohibited:



HARINGEY COUNCIL

LICENSING ACT 2003
Section 24

PREMISES LICENCE SUMMARY

Receipt: AG763142

Premises Licence Number: LN00001385

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
Civic Centre, High Road, Wood Green,
London, N22 8LE**

Signature:

Date: 24TH November 2005

Part 1 – PREMISES DETAILS

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

**THE DUKES HEAD
16 HIGHGATE HIGH STREET
LONDON
N6 5JG**

Telephone: 020 8340 6688

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Regulated Entertainment: Live Music & Recorded Music
Supply of Alcohol

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

Live Music	
Friday & Saturday	2100 to 0100
Recorded Music	
Monday to Saturday	1100 to 0100
Sunday	1200 to 0100
Supply of Alcohol	
Monday to Saturday	1100 to 0100



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DUKES HEAD - 16 HIGHGATE HIGH
STREET LONDON N6

Agreed Conditions:

Prevention of Crime and disorder:

1. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team – see below.
(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. After 23:00 patrons temporarily leaving the premises to smoke will not be permitted to take their drinks with them.
4. Management must ensure that patrons do not obstruct the public highway in any manner whilst outside the premises.
5. An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

Prevention of public nuisance

6. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
8. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

10. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.

11. Staff Training – Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:

- A. The responsible sale of alcohol.
- B. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
- C. The responsibility to refuse the sale of alcohol to any person who is drunk.
- D. Fire safety & emergency evacuation procedures

12. Refuse Disposal - Regular waste disposal is undertaken in accordance with the council's requirements.

13. Litter - The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared, including cigarette butts/packets etc, periodically throughout the premises opening hours and specifically at the end of trading hours.

Public safety

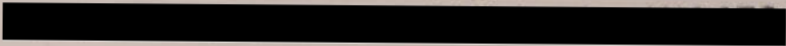
15. First Aid - Adequate first aid boxes will be maintained.

Protection of children from harm.

16. Children only permitted on the premises between 11.00 and 21.00, accompanied by an adult to supervise.

17. Age verification - A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

DAVE MURPHY LTD



17th May 2022

Witness Statement of Mr Dave Murphy.

My name is Dave Murphy.

It is my company, Dave Murphy Ltd of which I am sole director that is the freeholder of The DUKES HEAD, 16 Highgate High St, London, N6 5JG.

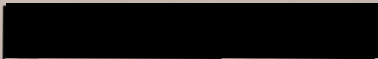
It has been my recent legal dispute with the previous tenant's, Martin Aberdeen and Tariq Nashnush of Dukes Head Highgate Ltd and their liquidation that has lead to this situation of a new premises licence application. I had granted a lease to DHHLtd in September 2013. I am regretful and apologetic for this.

The legal dispute has recently been resolved and settled in my favour and acceptance and granting of a new premises licence will finally put this incident behind me in terms of moving forward with the business and continued history of The Dukes Head, which historical records show as being an Inn/Pub since the mid to late 1800's.

My family have been custodian's of the building since 1983 on leasehold term's with myself purchasing the freehold in 2009. My father operated the bar during this period until his diagnosis of Vascular dementia in 2013. I have since cared for him in the flat above the pub more recently with 24/7 around the clock carer's in place. During this period and being the nearest flat to the pub, we have never had any issue with noise or disturbance except for the routine high street hustle and bustle of people and traffic, which is what you would expect living on a high street.

The Dukes Head has been a family run pub for it's entirety and continues to be, with Theo Hudson now the new leaseholder having re-opened the pub in july 2021 after it's closure due to lockdown in march 2020. Since his lease started, Theo, who is well known and respected has been a first class operator showing due diligence and understanding not only in the pub but the community as well.

The contents of this my statement are true to the best of my knowledge and belief.



DAVE MURPHY

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