

Decision Notice

Application for a New Premises Licence under the Licensing Act 2003 – by “That’s a Big 10/4 Good Buddy”- otherwise known as The Duke’s Head, Highgate, 16 High Street, London , N6- 18th May 22

The Licensing Sub Committee carefully considered the application for a new premises licence for Dukes Highgate, 16 High Street, London, N6. In considering the application, the Committee took account of the London Borough of Haringey’s Statement of Licensing Policy, the Licensing Act 2003, section 182 Guidance, the report pack, the additional papers submitted by the Applicant and the applicant’s and objectors’ written and oral representations.

Having considered the application and heard from all the parties, the Committee decided to grant the application for a new premises licence subject to the following conditions to promote the licensing objectives.

The Licence is granted as follows:

Operating times:

Supply of Alcohol

Monday to Sunday 1200 to 0030 hours

For consumption ON & OFF the premises

Hours open to the public:

Monday to Sunday 1200 to 0100 hours

The following conditions are imposed to promote the four licensing objectives:

Prevention of Crime and disorder:

(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.

(f) 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.

(i) Management must ensure that patrons do not obstruct the public highway in any manner whilst outside the premises.

(j) 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

- (a) 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.
- (b) Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.
- (c) Patrons shall not be permitted to consume alcohol immediately outside the premises after 2100 hours.
- (d) Patrons shall be limited to two outside the premises to smoke after 2100 hours.
- (e) 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.
- (f) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- (g) A member of the management team must oversee the dispersal of the patrons at closing time ensuring that the needs of the local residents are respected.

- (h) 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.
- (i) The management team to propose twice yearly meetings with local residents to address any specific concerns, with the option for residents to not attend. The invitations to such meetings, any refusal to attend and the outcome of any such meetings to be recorded and to be available for inspection by Council officers.

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

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

No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) Monday to Sunday.

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

Fire Safety - A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:

- (a) Heat / Smoke detectors are installed and maintained by a competent person.
- (b) Fire detection and fire safety equipment checks are recorded.
- (c)Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
- (d) Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
- (e) All emergency exits are marked on the premises plan.
- (f)First Aid - Adequate first aid boxes will be maintained.

Protection of children from harm.

Children only permitted on the premises between 11.00 and 21.00, accompanied by an adult. No children under the age of 18 shall permitted on the premises without an adult to Supervise.

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.

Staff will be trained in, and fully aware of, the law relating to sales of alcohol to those under the age of 18.

REASONS

The Committee gave serious consideration to the submissions by the applicant and their representative, their supporters who made both written and oral representations and to the concerns raised by the objectors again both of which were made in writing and orally.

The premises are in a High Street with residential properties above, albeit that the flat immediately above is currently occupied by the applicant's landlord. It was also noted that similar premises on the High Street also have licences until 0030. The Committee was keen to ensure that the public nuisance licensing objective would not be undermined and were satisfied that granting the above operating hours and hours for the licensable activities subject to the imposed conditions would promote the licensing objectives.

The Committee noted that the previous license, since lapsed did have opening hours until 1.30am, and that therefore no extension to these hours was being sought, however, the Committee took the view that the concerns of the residents were not purely due to the hours but primarily the noise emanating from the premises whatever time it occurred.

It was also noted that the premises did operate without a licence for period although it is commended that as soon as they were told to stop operating they did so. The Committee also noted their willingness to work with local residents to resolve any issues.

The Committee acknowledged that the applicant had accepted the conditions proposed by the Licensing Authority save the issue of licensing hours.

The Committee also had to weigh in the balance a number of very convincing written objections and oral representations made by residents who were local and directly impacted by the noise. It was noted noise nuisance complaints had come in on at least 5 occasions recently. The Committee were advised that there were unrecorded complaints of noise that had occurred after midnight.

The Committee did not feel that the issue of how the noise nuisance would be tackled by the Applicant was fully addressed, hence the need to impose the conditions limiting numbers outside the premises drinking or smoking. Limiting the hours to 1 a.m would also reduce the impact on residents of public nuisance in the early hours when patrons are leaving.