

MINUTES OF MEETING Special Licensing Sub Committee HELD ON Monday, 20th September, 2021, 7.00 pm

PRESENT:

Cllr Gina Adamou (Chair)
Cllr Luke Cawley-Harrison
Cllr Sarah Williams
Daliah Barrett, Licensing Officer
Michelle Williams, Legal Officer
Noshaba Shah, Licensing Officer
Philip Slawther, Principal Committee Co-ordinator
Ms Sergul Suleyman, Premises Licence Holder
Mr Winston Brown, Advocate for Licence Holder

Also in attendance:

Cllr Viv Ross
Rachel Bonus. Legal Officer

Residents

Barbara Hall
Joyce Adams
Laura Butterfield
Maggie Theodore
Andy Peppiatt
Kully Singh
Magdalena Motylewska
Sinead Flowers
Katheryn Gilbert
Rich Love
Pat Love
Tony Shearer
David Houlton
Ben Rogoff
Colm Quinn
Sarah Woodgate
Maria Karaiskos
Jasbir

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

It was noted that, it being a special meeting of the Sub-Committee, under Part Four, Section B, Paragraph 17 of the Council's Constitution, no other business would be considered at the meeting.

4. DECLARATIONS OF INTEREST

None.

5. SUMMARY OF PROCEDURE

Noted.

6. APPLICATION FOR A NEW PREMISES LICENCE AT 272 MUSWELL HILL BROADWAY, LONDON, N10

Due to the number of representations made and the number of residents present for the meeting, the Chair suggested that the residents may want to nominate a lead spokesperson. David Houlton nominated Cllr Ross to speak on the residents' behalf.

Daliah Barrett, Licensing Officer, introduced a report which detailed the application and accompanying submissions for a premises licence at the Venue N10 at 272 Muswell Hill, as set out in the agenda pack. The Committee was advised that the Police had withdrawn their submission. It was subsequently clarified that the withdrawal followed the evidence submitted by the applicant as set out in the addendum pack and the subsequent acceptance by the applicant of all of the police's proposed conditions to the licence.

The Committee questioned where the capacity figures put forward by the applicant of 130 had come from as it did not seem to be evidenced and whether this had been the capacity of the previous wine bar at this location. In response the Committee was advised that the fire safety assessment at section 5, set out that the capacity of the venue should be 100, made up of 70 patrons and up to 30 staff. This was as per the recommendation of the Building Control Officer.

In response to a question around the applicant's suggestion that the venue would be limited to private events and whether this was a recognised distinction, officers advised that the Licensing Act covered licensable activity and that there was no legal

distinction as such. A Premises Licence was required for any venue that offered licensable activity whether that was a private event or otherwise.

The Lead Licencing Officer clarified that paragraph 2.3 of the report was a typographical error and that it should read that no further applicants to planning had been made to allow it to operate on Sunday.

The applicant's solicitor, Mr Winston Brown commented that it was a shame that Building Control had not provided a response to the fire safety risk assessment that the applicant had commissioned in response to the original objections submitted by Building Control. The fire safety risk assessment was carried out by Capital Fire Safety Ltd. and it was included in the addendum report pack. The applicant had gone to the trouble of providing a detailed report and the solicitor expressed his concerns that if the Committee was to make an adverse decision towards his client's application, which were based on the original Building Control report, then Building Control as a responsible authority should have either provided a further update or else be present at the meeting.

Noshaba Shah, Licensing Officer introduced the Licensing Authority submission to the Committee. It was noted that the business was previously operating under the name of the Socialite Bar and that this premises had its licence revoked following a review application in 2017, due to crime and disorder including a high profile shooting incident taking place outside the premises. The Committee was advised that although the current premises licence holder was Ms Sergul Suleyman, the original owner of the premises, Mr John, remained in place and was leasing the premises to the applicant. The Licensing Authority outlined that, following the submission by Building Control, the maximum capacity for the premises should be 100 people, rather than the 130 submitted by the applicant.

Since 2019, the venue had operated as a milkshake bar but had also held a number of late night events without the relevant Temporary Event Notices (TENs) in place. Three noise complaints had been received in response to alleged events: December 2019, June 2021 and July 2022. No visits were made by Noise Officers in response to these complaints to establish noise nuisance. The Licensing Officers advised that five TENs had been applied for by the applicant, one of which had been refused following an objection by the Police. A recent complaint related to a DJ led event in June 2021, whilst some lockdown restrictions were in place. In addition to noise complaints, residents had also provided pictures of groups of people congregating outside the venue in numbers none of whom were wearing a face covering. A copy of the flyer for this event, along with social media posts regarding the event were included in the addendum report pack. The Licensing Officer also advised that since the revocation of the licence in 2017, the immediate vicinity of the premises had seen some changes with additional residential properties build to the rear of the premises at Pinnacle Close.

Following a request for clarification from a resident, the Licensing Officer advised that there was no TEN in place for an event on 5th December. The resident set out that he had photos of an event taking place that night and emphasised that, this event, was therefore unlicensed.

In response to a question about what the Licensing Authority's position was, as a responsible authority, the Committee clarified that the Licensing Authority had made a number of recommendations to the Committee but that ultimately, it would be the Committee who would take the decision based on the evidence that it heard during the meeting. The applicant's solicitor emphasised to the Committee that the submission by the Licensing Authority did not recommend an outright refusal to granting a licence, but rather set out a list of conditions that they would like to see addressed if a licence was granted.

The Chair invited the residents to give their representations to the Committee.

Following an earlier point raised, Cllr Ross advised the Committee that the new development at Pinnacle Close was made up of 24 properties. Six of which, it was suggested, were within 50 metres of the venue. Cllr Ross also advised that he had attended a meeting of the Fortis Green Police panel this week and that at that meeting the police had raised significant concerns about this application. Therefore, he was surprised that the Police licensing officer had withdrawn the objections from the police.

Cllr Ross, on behalf, of the residents raised concerns about the 2am finish requested by the applicant and commented that this was not suitable given the residential location of the premises and the fact that the area did not have a late night economy. Most of the shops on the high street had two or three flats above them and the late closing time would create significant noise nuisance for local residents.

It was suggested that the people who attended this particular venue were not local residents but came from outside the area. This caused a number of other problems for residents such as drug dealing, fights, anti-social behaviour, public urination, people parking on the pavements and loud music emanating from vehicles during the early hours of the morning.

It was suggested that there were very few premises in the area with a late licence and that the most prominent of which was the Mossy Well opposite, which was a Weatherspoon pub and was very well run and was a totally different venue in nature and was largely frequented by local residents. Furthermore, the Mossy Well had a significant frontage back from the street from which its patrons dispersed, rather than exiting directly out onto the street.

Residents raised further concerns that Mr John was still the leaseholder and that there were a number of significant areas of concern raised in the fire safety risk assessment, such as loose cables and no fire training for staff. Residents suggested that during the time the premises had been allegedly operating as a milkshake bar, they had not seen any evidence of this being what it was actually used for. However, they had seen evidence of late night events taking place. Residents were particularly concerned that the premises continued to break the rules and hold unlicensed events.

The Committee noted that the residents of 77 Muswell Hill lived opposite the building and that this was made up of a number of flats with families and some sick residents, all of whom opposed this application and did not want their peace and quality of life disturbed. This was a residential area, and this type of late night venue was not suitable. A resident advised that when the venue had been operating as socialite bar

the concierge of her building had been intimidated and confronted when he had gone to complain about the noise nuisance.

In response to a question from Members, residents advised that they were alleging that there had been further instances of unlicensed events taking place in addition to that put forward by the Licensing Authority.

Residents sought clarification as to whether the Committee would be taking into account the applicants' behaviour in holding unlicensed events as it was suggested that this raised questions about their suitability. The Chair advised that all of the evidence would be considered as part of the Committee's deliberations.

The Chair invited the applicant and her representative to present their submission to the committee

In relation to the reasons that the police had withdrawn their objections; the applicant's solicitor, Mr Winston Brown, asserted that as the body that initiated the Licensing Review in 2016 and the body who were responsible for preventing crime and disorder, it was reasonable to assume that they no longer had any objections on that basis following the additional evidence submitted by the applicant.

The applicant's solicitor set out to the Committee that his client had accepted all of the proposed conditions to the licence put forward by the different responsible authorities. It was also put to the Committee that the application that was in front of it was for Venue N10 and not the Socialite Bar. Mr Brown advised that this was a totally different entity and ran by a totally different person and that the application should be judged on merit rather than the history of the previous premises.

Mr Brown contended that the business plan set out in the addendum pack showed clearly that this was a totally different type of premises than had operated previously as Socialite Bar. Venue N10 would be ran as a location for private events only, with bookings taken in advance and a risk assessment carried out on each application. In response to a question, Mr Brown confirmed that only guests of the person who made the booking could attend and that walk-ins would not be permitted. In addition, the new premises would not be taking bookings for either 18 or 21st birthday parties. The applicant's solicitor commented that the Committee had the power to set conditions on the license to ensure either of these points were upheld.

The applicant was happy to agree to a maximum capacity of 100 people. In relation to fire safety, the Committee was advised that the purpose of the fire safety assessment was to provide a list of the actions needed to ensure that the premises could be ran safely and lawfully and the applicant would commit to undertaking all of the actions identified.

In relation to concerns around noise nuisance, Mr Brown advised that there was no evidence that Venue N10 was the source of the nuisance and that it could equally be just as likely that it was caused by neighbouring late night premises.

Mr Brown advised the Committee that there was a raft of robust licensing conditions put forward in the report packs by Responsible Authorities to ensure that the premises was ran safely and lawfully and that his client was happy to agree to all of them.

Similarly, the applicant was happy to have security staff on site and happy to have a dispersal policy in place. It was commented that an effective dispersal policy would mitigate residents' concerns about noise nuisance from patrons leaving the venue in the early hours of the morning. Mr Brown emphasised that his client was engaging in the process and that there was an opportunity for a two way discussion. The applicant was happy to consider any recommendations put forward from the Committee.

The Committee questioned why the applicant had felt the need to commission a private company to undertake a fire safety risk assessment, rather than accept the report provided by Building Control. In response the applicant's solicitor suggested that the Building Control submission was effectively a list of objections that didn't invite much in the way of dialogue or a discussion. Instead, Capital Fire Safety had produced a detailed report which the solicitor had sent back to Building Control for further comments. Those comments had not been received. It was suggested that commissioning a private company to undertake such a risk assessment in these circumstances was not uncommon.

The Lead Licensing Officer advised the Committee that Building Control had reviewed the application through the lens of Health & Safety and using their experience of assessing venues of a similar nature to ensure it was safe and in a good standard. What the Building Control report provided was a list of areas of concern for the applicant and the Committee to consider, they had raised a number of key areas of concern with a number of risks assessed as scoring either one or two out of four (which were the lowest scores). In addition, it was highlighted to the Committee that the applicant's own fire risk assessment highlighted a number of serious concerns.

In response to a previous point made about the absence of Building Control from the meeting, the Legal Advisor to the Committee clarified that under the Licensing Act 2003 Hearing Regs 2005, parties may attend hearings but were not obliged to do so. Under Regulation 18, the Committee could take into account their written representations. Under Regulation 20, it was within the Committee's discretion to decide whether to adjourn the meeting or whether to continue and take into account their written representation.

The Committee sought clarification as to who the licensee was when the alleged unlicensed events took place. In response, the applicant denied that any unlicensed events took place as there was no alcohol for sale and the events did not go on beyond 11pm. The Committee noted that there was evidence of the events on social media and that there was also a noise complaint on the day of the alleged event from 3am.

The Committee also queried why the fire safety risk assessment had only just been carried out, given that the licensee had been in place for two years and events had taken place during that time. The applicant's solicitor advised that Covid had made this impractical, especially given the financial uncertainty involved, but that his client was prepared to move forward with this now and that she was seeking to protect the safety of her customers. In relation to a follow-up point, the Committee commented that compliance with fire safety regulations was important as a milkshake bar and that this had been open since 2019 seemingly with some significant fire safety concerns.

The Committee also sought assurances around how many residents that the applicant had spoken to and whether she had held any engagement events, given the history of the premises. In response, Mr Brown advised that his client would be happy to undertake setting up an engagement event and commented that this could be formalised through a licensing condition to that affect. The applicant advised the Committee that a lot of local residents had visited the premises as a milkshake bar, and she had received overwhelmingly positive comments from them.

In response to a question, the applicant advised that she did intend to make a subsequent application to amend the planning conditions to allow her to operate on a Sunday.

A resident sought clarification over the risk assessment process that would be carried out when booking events and raised concerns that if only the person booking the event was risk assessed there were very little checks or safeguards as to who would be attending a particular event. In response, Mr Brown acknowledged that the assessment was based on the information provided by the person booking the event and that there was some degree of trust involved in terms of the person booking the event being honest about the nature of that event. The applicant would also be asking who would be attending the venue and what the event was for. The purpose of the risk assessment was to allow the applicant to make a reasonable determination as to whether it was a suitable event to hold. Mr Brown reiterated that his client was open to further suggestions.

A resident raised concerns with the Committee that the venue website was already advertising events of up to 130 people and open until 2am. In response, Mr Brown advised that the information on the website was out of date and had been there since before the applicant submitted her revised submission in which she agreed to the capacity of 100 as put forward by Building Control. Mr Brown also pointed out that the closing time and the time that regulated entertainment was permitted were two different things.

In response to a question, those in attendance were advised that the Committee could take into consideration the history of the previous management of the location, to a limited extent, but that on the whole the Committee should give consideration to the current application and what would happen if the licence was granted.

The applicant was asked if she would accept an earlier closing time of 11pm. In response, she advised that she wanted a closing time of 2am on the weekends in order to be able to provide her customers with the ability to stay open late. This was something that she thought those booking a 30th, 40th or 50th birthday would want the option of doing.

Clarification was sought from the applicant as how dispersals would be managed so to reduce the impact of nuisance and ASB from patrons when leaving the premises. In response, Mr Brown advised that they were happy to put in place a dispersal management plan, as per one of the proposed conditions. However, it was suggested that there was not much more than could be done, as staff could not be expected to follow people home. It was suggested that this was probably the limit of the licensing process.

Further doubts were raised by residents around the ability of the licensee to manage the property in such a way as to not create noise nuisance and ASB. Scepticism was expressed about the ability of the licensee to control and manage the patrons of the premises, in light of a failure to ensure her patrons were wearing face coverings at a recent late night event. In response, Mr Brown commented that his client had sufficiently demonstrated her ability to be a Premises Licence Holder and her willingness to accept all of the proposed conditions, in order for the Committee to agree the licence application. The law allowed people to hold personal licences and Ms Suleyman was aware of her legal obligations.

A resident put forward that there was a big difference between how the Mossy Well was managed and how the applicant's premises was managed. It was suggested that the Mossy well staff worked hard to disperse people when leaving the premises and security staff could be seen putting people into taxis, for example. Whereas, it was suggested, the applicant had failed to control what happened around the corner from the premises when patrons were leaving. With instances of noise, ASB and public urination cited. Residents emphasise that there was a big difference on the impact to local residents from a people leaving a premises at 11pm and those leaving at 2am.

In response to a question on how crowds would be controlled and how those entering the premises would be screened, Mr Brown advised that the Committee could place a condition on the licence that management be proactive in dispersing people when they left the premises. In relation to screening, the venue would screen everyone who booked an event and would only allow people to enter who were on the list provided by the person booking the event. In addition, the applicant set out that she would not allow people to advertise events on social media.

In response to a follow-up question, the applicant's solicitor agreed that his client would be willing to accept a condition on the license that patrons would not be admitted after a certain time. 00:30 was suggested as a reasonable time.

Following a short period of each party summing-up, The Chair thanked everyone present for their contributions and advised that the Committee would begin its deliberations. The Chair advised that the Committee write to the applicant in five working days with its decision.

RESOLVED

The Licensing Sub Committee carefully considered the application for a new premises licence for The Venue N10 Limited, 272 Muswell Hill Broadway, London N10. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack and the applicant's and objectors' representations.

Having considered the application, the Committee decided to grant the application for a new premises licence with the conditions set out below as follows.

Hours open to the public:

Sunday to Thursday 1000 to 2300 hours

Friday and Saturday 1000 to 0000 hours

Supply of Alcohol

Sunday to Thursday 1000 to 2230 hours

Friday and Saturday 1000 to 2330 hours

Regulated Entertainment: Live Music, Recorded Music, Performance of Dance

Sunday to Thursday 1000 to 2230 hours

Friday and Saturday 1000 to 2330 hours

Late Night refreshment

Friday and Saturday 2300 to 0000 hours

Supply of alcohol for consumption ON the premises only

The following conditions are imposed on the licence:

The prevention of crime and disorder

1. The premises shall only be used for the hire of private events.
2. The premises shall not operate as a Nightclub.
3. The premises shall not be hired out for DJ promoted events or 18th or 21st Birthday parties any time.
4. None of the events held at the premises shall be promoted on social media.
5. The licence holder shall ensure that there is no admittance to members of the public other than invited guests to the event in question.
6. The licence holder shall only allow entry to patrons who are on the agreed guest list for the event.
7. The licence holder shall not allow entry to any patrons after 22.00 hours.
8. The premises will operate a zero tolerance policy towards illegal drugs.
9. Digital CCTV system to be installed in the premises.
10. Cameras must be cited to observe the entrance doors from inside.
11. Cameras on the entrance must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
12. Cameras must be sited to cover all areas to which the public have access including any smoking areas.
13. Cameras must provide a linked record of the date, time of any image.
14. Cameras must provide good quality images in colour during opening times.
15. Images and recording quality must be reviewed and monitored regularly.
16. Cameras must be regularly maintained to ensure continuous quality of image capture and retention.

17. Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that police can make an evidential copy of the data they require.
18. A member of staff trained in operating CCTV shall be at the premises during times open to the public. This staff member must be able to provide a Police or an authorised Council Officer with copies of recent CCTV images or data with the absolute minimum of delay when requested and within a maximum of 24 hours of the initial request.
19. A minimum of two SIA licenced door supervisors shall be on duty at the premises from 20.00 hours until the premises closes Sunday to Thursday and from 20.00 hours until 30 minutes after the premises closed on Friday and Saturday nights.
20. A premises daily register will be set up and kept for a minimum of six months and door supervisors will record their names, times of attendance and SIA licence number on it.

Public Nuisance

21. The licence holder shall devise and implement fully a Noise Management Plan to be agreed in writing by the ASB Enforcement Team. The Plan should detail all noise control measures to be implemented. This should be informed or devised by an expert in acoustics and provided later than 28 days after the issue of the premises licence.
22. Music played at the premises shall be limited to background level only until the approved noise control measures as outlined in the Noise Management Plan are implemented.
23. All external doors and windows shall be kept closed at any time when regulated entertainment is taking place.
24. 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.
25. All speakers should be mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining premises properties.
26. No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.
27. The regulated entertainment licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.
28. Notices will be prominently displayed at the exit requesting patrons respect local residents and leave the area quietly.
29. The premises shall operate a Dispersal Policy which shall be agreed with the council to ensure patrons do not congregate outside the premises after leaving the premises.
30. Staff and door supervisors shall actively monitor and control page patrons queueing, leaving and entering the premises to ensure they leave the area quickly and quietly.
31. Staff and or supervisors shall actively discourage loitering or waiting outside the premises after closing.
32. The licence holder shall conduct regular assessments (externally and around the full perimeter) of the noise coming from the premises whilst it opens for business and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents.
33. The rear door in the basement shall be fitted with an alarm which signals loudly whenever the door is opened and there shall be a sign located near the door in a prominent location alerting patrons that the door is alarmed.
34. A written record shall be made of those assessments in a log book kept for that purpose and shall include the time and date of the checks, the person making them

- and the results including any remediation. The record must be made available at all times for inspection by council officers.
35. Regular liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licenced activities.
 36. The licence holder shall permit a maximum of 5 patrons to smoke outside at any one time.
 37. No patrons shall be permitted to take drinking receptacles, bottles or other containers outside when smoking.
 38. The licence holder is to prevent patrons from congregating directly outside the ground floor front entrance door to 274-276 Muswell Hill Broadway and shall erect signage advising patrons not to congregate there.
 39. Management shall proactively monitor the conduct and behaviour of patrons on the public highway to ensure no noisy rowdy or anti social behaviour (this includes loud talking, shouting and people congregating in large groups on the pavement or obstructing the public highway).
 40. Those patrons deemed to be engaging in such behaviour shall be asked to cease this activity and or disperse from the premises quietly.
 41. A direct telephone contact number for the licence holder/DPS/manager of the premises shall be publicly available at all times that the premises is open. The number is to be made available to residents and businesses in the vicinity.
 42. All complaints shall be remedied within 48 hours and details to be recorded in the incident book including the action taken by the licence holder/ DPS/manager.

Public Safety

43. The maximum capacity of the premises is 100, comprising of 70 patrons plus 30 staff.
44. No licensable activity shall take place until Haringey Council Building Control are satisfied that the premises achieve the necessary standards required under the Technical Standards for Places of Entertainment and confirm their satisfaction in writing. The licence holder shall provide the licensing authority with a copy of the Building Control approval within 7 days of receipt.
45. All exit routes and public areas shall be kept unobstructed, shall have non slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.
46. An adequate and appropriate supply of first aid equipment and materials must be available on the premises.

Protection of Children From Harm

47. 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. An incident log shall be kept at the premises and made available on request to an authorised officer of Haringey 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 including date common time and name of staff member

- h) any visit by a relevant authority or emergency service
- 48. All staff responsible for selling alcohol shall receive regular training in the requirements of the Licencing Act 2003 and all other age restricted products sold on the premises. Written records of this training signed and dated by the person receiving the training and the trainer shall be retained and made available to the Police and authorised council officers on request.
- 49. No child will be permitted into the premises after 2100 hours on a given day, unless in the company of an adult (a person over 18 years of age).
- 50. There will be no gaming machines present at the premises at any time.

Reasons

The Committee gave serious consideration to the submissions by the applicant and to the concerns raised by the responsible authorities and the residents.

The Committee was satisfied that the licence should be granted but only subject to the above conditions which whilst extensive, are appropriate and proportionate to ensure that the licensing objectives are promoted.

The premises are located near a roundabout on Muswell Hill Broadway with residential premises above, next door, immediately opposite and to the rear. The premises were previously operated as the 'Socialite Bar' which was associated with serious crime, disorder and extensive public nuisance. As a result of these issues the licence was revoked in December 2016.

Unsurprisingly, this application for a late night licence until 2 a.m. Monday to Sunday has attracted many objections from responsible authorities and residents alike, raising concerns that the operation of the premises would signal a return of the past incidents of violence, disorder, drug dealing, fights, anti-social behaviour, public urination, people parking on the pavements, loud music emanating from the premises and from vehicles during the early hours of the morning, feeling unsafe and disturbed sleep late at night. The immediate vicinity of the premises had seen some changes with additional residential properties built to the rear of the premises at Pinnacle Close which would increase the impact on families and children.

The Committee listened carefully to the residents' concerns which are genuine and well founded. It has only felt able to grant the application on the basis that the premises would operate a different business model that will not attract the same clientele as The Socialite Bar. Because the premises will not operate as a Nightclub but will be hired solely for private events open to invited guests only, the Committee felt able to grant the licence. The applicant has proposed a condition prohibiting them from hosting 18th and 21st birthday parties because these are most likely to result in a breach of the licensing objectives and that condition has been accepted.

The operating hours have been reduced to finish at 2300 hours Sunday to Thursday and Midnight Friday and Saturday to reflect the proximity of the premises to nearby residential properties and to bring the hours more in line with the Councils Statement of Licensing Policy.

Regulated entertainment and the sale of alcohol should cease half an hour before the finish time to allow for a cooling down period.

It has been noted that there have been noise complaints about the premises under the current management and allegations that the applicant may have been holding unlicensed events. The noise complaints were not independently corroborated and the licence holder has denied carrying out licensable activities without a licence. The licence holder should be in no doubt that for these premises to operate successfully they will need to be well managed with sensitivity to the local environment and that is why the Committee will expect the licence holder to comply with every condition on the licence. The Committee has noted the licence holder's willingness to accept the conditions put forward by the responsible authorities and has viewed this positively.

The Committee is keen to ensure that all four of the licensing objectives are promoted and that residents are not negatively impacted by the operation of the premises. Appropriate and proportionate conditions have therefore been imposed on the licence in the expectation that if they are adhered to the licensing objectives will be promoted.

Informative

Given the history of the premises the applicant will be expected to demonstrate that they can comply with all of the conditions on the licence and promote the licensing objectives. If there are breaches the Council will not hesitate to seek a review of the licence which could lead to revocation.

The applicant is advised to resolve the issues with planning permission before undertaking licensable activities on a Sunday.

Building Control has raised issues of serious concern which the applicant must resolve as soon as possible.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

CHAIR: Councillor Gina Adamou

Signed by Chair

Date

