

MINUTES OF THE LICENSING SUB COMMITTEE HELD ON MONDAY, 26 FEBRUARY 2024, 7:00PM – 8:47PM

PRESENT: Councillors Anna Abela (Chair), Nicola Bartlett and Sheila Peacock

1. FILMING AT MEETINGS

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

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

There were none.

5. SUMMARY OF PROCEDURE

The Chair explained the procedure for the meeting.

6. APPLICATION FOR A VARIATION OF A PREMISES LICENCE AT HORNSEY TOWN HALL ARTS CENTRE, HORNSEY TOWN HALL, THE BROADWAY, CROUCH END, LONDON N8 9BQ (HORNSEY)

Presentation by the Licensing Officer

Ms Daliah Barrett, Licensing Team Leader, informed the Sub-Committee that:

- The applicant sought to amend the registered office of the premises licence holder, to amend the approved plan to add Hornsey Town Hall Square, to add a cafe on the ground floor, to amend the area for licensable activities including the co-worker's space on the ground floor, to add the commercial kitchen on the lower ground floor, to add a cinema and a mayor's parlour on the first floor, to remove licensable activities from the corridor on the first floor and to add a food and beverage bar and a chamber balcony on the second floor. The application also sought to add a roof terrace.
- There was an updated list of what the application was requesting found on page 130 of the additional agenda papers.

- The application sought to licence the Town Hall Square for the sale of alcohol between 10:00 and 21:00 for one weekend per month and for 10 days each month in July, August and December.
- Regulated entertainment in the Town Hall Square would be until 21:00.
- There were other aspects of the application seeking to extend regulated entertainment in parts of the building.
- The premises already had a licence until 01:30. This would be extended to the supper room and the other areas until 02:00.
- There would be three outside spaces at the premises. The Town Hall Square for which the applicant had reached an agreement with the Police for the terminal hour for licensable activity (this was to be 21:00). The terminal hour for the terrace roof space would be until 23:00. The Hornsey the Town Hall garden, another green space would be used until 21:00.
- The Police made a representation on the application, but this had been withdrawn. Residents had also objected to the application and these mostly related to noise nuisance.

Presentation by the applicant

Mr Joe Harvey, representative for the applicant and Mr Andrew Major, the applicant, informed the Sub-Committee that:

- The premises would be operated by Hornsey Town Hall Arts Centre Limited. A company which has its origins and foundations very much in the heart of the community.
- The Designated Premises Supervisor (DPS) was the director of the company. He had grown and lived in the area that his entire life and was very keen that the premises formed into a community asset. In order for it to be a community asset, the applicant would offer artistic programmes and performing art and offer room hire to be available for local organisations and for local residents, but there had to be a commercial viability to the premises.
- Whilst it was right to say that much of what the applicant wished to do could be done on the current premises licence, there was a recognition that it could be made more clear and more definitive as to which areas of the building were going to be in use, what times they were going to be in use and what conditions were applicable to the locations and timings of the use of the building.
- In relation to the use of the outside premises, an agreement had been reached with the Police to meet some of the concerns that they had regarding the use of the Town Hall Square.
- The Town Hall Square would have a terminal hour of 21:00.
- Every effort was made to be engaging with the community and its representatives to make sure that concerns were addressed.

- Two full residents' meetings were held. There were only three representations made by members of the public. The applicant was listening to residents and the representations were about the potential for public nuisance. There were many conditions which had been put forward to address these concerns and the applicant could surpass expectations.
- It was a recognisable concern of local residents that people leaving the premises late at night potentially under the influence of alcohol may well be a source of disturbance for residents. For this, an event management plan had been put in place to deal with any concerns and the applicant would work very hard to meet its objectives.
- When patrons attended the premises, they would enjoy themselves but would leave in a manner which was conducive to recognising the needs of residents.
- Some residents would be the people using the premises as their place of work.
- There was also a hotel nearby and the applicant would not wish to cause them any noise nuisance.
- The applicant had the needs of local residents very much in his consideration.
- From the acoustic measures which had been taken for the various rooms to the formulation of plans which were designed to meet these needs, the applicant would hope that the Sub-Committee would recognise that every effort had been made to meet the licensing objectives.
- The applicant understood that the premises was to form a community resource. There was a community use agreement in place which imposed significant obligations on the operators to use the premises in a manner which was ultimately for the benefit of the local community. This went hand in hand with the need to ensure that the premises was commercially viable.
- It was important that there was no cause for any concern for any of the responsible authorities or residents.
- The application was a better proposition than the current licence. It was important that the applicant be given an opportunity to prove that he could run the premises on the newly proposed terms and was aware of the powers available to residents to review the application if concerns continued.

In response to questions, Mr Harvey and Mr Major informed the Sub-Committee that:

- The event management plan could be found from page 147 of the agenda papers. There were measures in place within that, including the use of crowd control and, where necessary, security guards with movable barriers. In order to prevent access to areas where residents lived closest, patrons would be directed to local nearby transport links to avoid spending too much time in the local area potentially causing nuisance. Arrangements would be made for a shuttle bus if necessary (if local transportation links were not sufficient to meet the needs of a particular event). The use of the assembly hall would likely hold large events. Proper marshalling would be in place with security staff present at key locations directing guests.

- The presence of physical security was probably the most compelling part of the dispersal plan, to direct patrons, especially late at night to their transport arrangements. Physical barriers would be put in place across one entrance to prevent footfall down certain roads. There were also notices put up to advise patrons to leave quietly.
- One condition agreed with Police was where any proposed events were to be held on the Town Hall Square, a consultation process would be held with the Police and the Licensing Authority to ensure that a proper event plan specific to the event would be created.
- The coworking offer was on a flexible short term licence basis. This could range from a day to a three-month rolling licence. There was nothing in terms of lease style arrangements in the building from a workspace perspective. It was a flexible offer for local freelancers, sole traders and other types of businesses.
- Balustrades were in place to stop people from falling off the rooftop. There would be a members of staff present to supervise the area. The height of the balustrade was above 1100 mm. There were two different parts to it. There was a brick wall to the side adjacent to the terrace, which was higher than 1100 millimetres. There was another one near the sides of the terrace. The balustrade was a metal pole attached to a brick wall.
- The square itself was in the freehold of the landlord, Forest Consortium International. Hornsey Town Hall Arts Centre Limited would be granted a permit to programme the space for events. However, the area was a publicly accessible green space. The events that the applicant was proposing in that area would be farmers markets or cultural festivals. The area would be free to access at the point of entry.
- The consumption of alcohol was not a licensable activity. Consumption could take place at the premises or away from the premises. Due to regulations which were brought in effect under the coronavirus crisis, all premises licences which existed before a particular date automatically was granted an off sales easement and therefore, the premises would be able to sell alcohol for consumption off the premises. This may take place from parts of the premises which were more accessible from the Town Hall Square than those which were not. However, alcohol sales could take place from areas such as the cafe for an Irish coffee or a drink of a similar nature. Patrons did not necessarily have to sit in and enjoy their drink. They were able to take it with them. It was envisaged that farmers markets or craft markets may give way to cottage industries who might wish to come and market their goods from the Town Hall Square at an event.
- The rear of the building where the iconic art deco staircase was located had all been retained and restored. Everything within the original building itself had been restored to as close to its original standard as possible.
- The upper part of the theatre was still intact. It had been converted to create a new space in the building which the application referred to as a cinema. The space would really be used as a multi-purpose presentation space, university lectures and seminars. It would also be used for private hires. A new acoustic wall had been placed in a dividing line in the hall, which lowered the capacity of the assembly hall.

- All of the spaces within the building would be hireable mainly for private hires, weddings, birthday parties, celebrations or programme performances. They were designed to be completely multi-purpose and multi-use.
- There was a commercial kitchen for the building, which would serve events. The supper room which looked like a jazz bar, could hold jazz events or even stand-up comedy shows. Someone could hire it for an industry showcase. All of the original space in the building had been retained. None of the original town hall rooms had been lost.
- The supper room (in the basement area) was part of the premises and would have a terminal hour of 02:00 for licensable activity, with the exception of New Years' Eve.
- There would be a natural staggering of the times at which people might naturally leave. If there was an event taking place at the assembly hall, which finished at 22:00 for example, then all the attendees there would leave at that sort of time. Other patrons located in other parts of the premises would leave at different times. The supper room could not host too many people and this would greatly reduce the capacity for causing nuisance.
- SIA staff in addition to the plans would make it very unlikely that those attending an event at the Arts Centre would not be comparable to patrons to, say, the Ministry of Sound. Those who would be leaving having attended were not likely to be those likely to cause a nuisance, but the measures being put in place would reduce that likelihood.
- The supper room and the Town Hall Square had specific operating hours because the need for those particular areas were very different to other aspects of the premises. All other parts of the premises, including the café, the terminal hour for the sale of alcohol would be 23:30 Monday to Wednesday, 01:30 Thursday, Friday and Saturday and 22:45 on Sunday. However, the cafe would not operate to these hours. It would operate as a cafeteria, not as an establishment patrons could casually use to buy alcohol.
- It was not envisaged that the Supper Club would be selling alcohol to take away. For those attending an event taking at the Supper Club, the alcohol being brought would be consumed during the event.
- The use of the cinema would not be a type of conventional cinema. The applicant was aware of the two neighbouring cinemas in the area and did not wish to compete with them. This part of the premises would be known as the 'screening room'. The films would be niche and some members of the local community had inquired about putting on a South American film day or a Charlie Chaplin Marathon.
- The use of the Town Hall space was part of the community use agreement. There was an enforceable legal agreement between the operators and the Council that the Town Hall Square would continue to be a resource for the for the community. This was that was part of an agreement which was made by the Hornsey Town Hall Trust who the applicant was in very close contact with and had been for the last five years. It was important that the area remained a publicly accessible space. The applicant would be programming free-to-attend events in that area.
- There would be no bar on the roof terrace itself and it would be serviced by the food and beverage bar which was on the floor below. This was achievable by having off

sales on the licence. In terms of its capacity, it was not a particularly large roof terrace. From a fire capacity perspective, it was approximately 120 persons as a maximum. There was an internal bar which was inside the building itself which led out onto the roof terrace. This would be staffed and the roof terrace would be independently staffed and monitored from a capacity and noise perspective.

- The applicant had no plans to program any sporting events in the hall or the in the premises. This had been carried over from the previous premises licence. The previous operator probably programmed some events. If the applicant wanted to hold a ping-pong competition in the assembly hall, then that may fall under the sporting event category, but scheduling events such as boxing or snooker was not something the applicant had in mind.
- The use of the Town Hall Square after 21:00 could be used for a film screening or the sale of non-alcoholic drinks.
- Proposed condition 11 was designed to limit the operational hours and occasions to 14 occasions and to a terminal hour of 23:00. This had been negotiated with the Police to alleviate their concerns. As a consequence of this, it would greatly reduce the usefulness of the Town Hall Square at later times. As a consequence, the applicant did not necessarily have any events in mind which would be applicable under the proposed condition. It was important to have some flexibility so that an event could take place permissible under the conditions.
- The applicant would agree that the Means of Escape document would be shared with the Licensing Authority prior to events taking place. The most recent Means of Escape might have become outdated due to construction. The materiality of some of the doors may have changed. An operational overall as-built fire risk assessment of the building would be done, but it was not clear when this would occur.
- The issue of capacity was still being clarified and the availability of toilets was something that would play a part in deciding that. By the time the building was in a position where it could operate, there would be a capacity which was linked mathematically to the availability of toilets and therefore the premises would operate in accordance with that.
- An outdoor cinema event had been held in July 2019 and had been a regular feature of the Crouch End Festival every summer. The film was amplified but was not at a volume that would cause disturbance to residents. The applicant planned to have amplified sound when showing films, but would take in feedback around decibel limits.

In response to a question, Ms Barrett stated that there were no noise levels set around Hornsey Town Hall. The area had not been used for large music events, but the Crouch End Festival had used the square in the past years and had submitted temporary event notices to be able to show films and carry out licensable activity. If the application was granted, an event like an outdoor cinema would be able to take place in the square up until 21:00.

In response to further questions, Mr Harvey and Mr Major informed the Sub-Committee that:

- To route from the internal bar to the roof was just a single door leading to the roof terrace. There was also an internal ramp which allowed access from the bar onto the rooftop. In terms of distance, this was two meters.

- As a consequence of proposed condition 11, the use of the Town Hall Square for licensable activities would be capped at 21:00. Originally, it was intended to be 23:00, but as a consequence of this condition, which was agreed with the Police, the terminal hour would be 21:00. The Town Hall Square could not be used after 21:00.
- If there was to be regulated entertainment in the Town Hall Square, the applicant had a duty to consult with Licensing and Police regarding the event management plan.

To summarise, Mr Harvey stated that he hoped that the Sub-Committee recognised that the use of the premises would be a wonderful asset to the community. It was a formidable building which had not been realised for a long time. This was an exciting opportunity where it could now be used in a manner which, not only promoted the licensing objectives, but did so in a manner which meant that there would be some real meaningful engagement with heart of the local community. It was very exciting to see how this was progressed. Whilst he recognised that there were some understandable concerns, he hoped that the Sub-Committee would be able to see that the applicant had regard to those and was committed to putting every measure in place which alleviated these concerns. It was not possible to please everybody, but the applicant hoped that he could operate at the Town Hall Arts Centre in a way which meant that there was minimum disruption to those who were local because, ultimately, the applicant would like those people to be patrons on a regular basis.

At 8:30pm, the Sub-Committee withdrew to consider the application.

RESOLVED:

The Licensing Sub Committee carefully considered the application for a variation of a premises licence at Hornsey Town Hall Arts Centre, Hornsey Town Hall, The Broadway, Crouch End, London, N8 9BQ. 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, the applicants and objector's representations. The objections and representations from the Police were withdrawn. The three remaining objectors had made written representations which were considered, but they did not attend the hearing.

Having considered the application and heard from all the parties, the Committee decided to **GRANT** the application **subject to conditions below**.

1. The Hours for the Supper Room amended to

Monday to Thursday	1000 to 2330 hours
Friday to Saturday	1000 to 0200 hours
Sunday	1000 to 2245 hours

2. CONDITIONS

As set out at Appendix 1 of the application (page 135-139) -with the following amendments:

Condition 28- Prior to the commencement of licensable activities, the Premises will have the benefit of a Means of Escape Assessment, which needs to specify the capacities for the different areas in the venue, a copy of which will be lodged with the Fire Authority & the Licensing Authority.

Additional Conditions Agreed with the Metropolitan Police

1. All Licensable activities in the town Hall Square and Town Hall Gardens shall cease at 21.00 hours.
2. Where the Town Square is intended to be used for Regulated Entertainment at any time the following conditions shall apply:

Reasons

The Sub-Committee gave serious consideration to the submissions by the applicant and to the concerns raised by the objectors. It was noted that the Police who had earlier raised concerns had withdrawn their objections in light of amended conditions between agreed between the Police and the applicant. The other 3 objectors had submitted written representations which were considered.

It was noted, to the credit of the Applicant, that they had engaged with the relevant authorities and agreed the conditions proposed by the Police and the Licensing Authority. The Applicant has also engaged and liaised with stakeholders and members of the Community.

The Sub-Committee also noted the benefit the Community of the renovation of the Town Hall and spaces within the Premises.

The objections from the Residents concerned issues such as concern about noise nuisance, litter, and safety. Having noted these concerns and having read the submission and the agreed conditions from the applicant- the Committee was of the view that these legitimate concerns have been addressed by the Applicant in the agreed Conditions and the event management plan.

However, the Sub-Committee was concerned about the number of days on which the Supper room was open late. The Committee has granted the hours requested but varied the days for those extended hours to Friday-Saturday which is in keeping with late hours for the area and for the provision of regulated entertainment with alcohol. The Committee found that there would be an increase in noise nuisance on a work day evening (i.e the Thursday) particularly as there are residential homes nearby.

In light of the above it was deemed that a grant of the application with the above limited variations to the already agreed Conditions balance the interests of the Applicant, the objectors and safeguards the licensing objectives.

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.

CONDITONS:

Hornsey Town Hall Arts Centre – Proposed Licence Conditions

Prevention of Crime and Disorder

1. The Premises shall install and maintain a comprehensive CCTV system. All entry and exit points to the premises will be covered in such a manner as to enable frontal identification of every person entering in all expected light conditions. The system will record an external view of the main entrance. The system shall continually record whilst the Premises are open for licensable activities or whilst members of the public are present. All recordings shall be stamped with the correct corresponding date and time. All recordings shall be stored for a minimum period of 31 days.
2. A staff member who is conversant with the operation of the CCTV system shall be on the Premises at all times whilst the Premises are open for licensable activities. This staff member must be able to, at the request of the Police or authorised Council Officer, review and copy any recordings stored by the system and provide to the requesting Officer such copies as they request.
3. An incident log (electronic or paper based) shall be kept at the Premises and made available on request to an authorised Council Officer, the Police or the Fire Service. The log shall 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. Seizures of drugs or offensive weapons,
 - f. Any faults in the CCTV system,
 - g. Any refusal of the sale of alcohol (including the date and time of the refused sale and the name of the member of staff who refused the sale).
 - h. Any visit by a relevant authority or emergency service.

4. The Premises shall operate a Challenge 25 proof of age scheme. 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.
5. All staff authorised by the Designated Premises Supervisor to sell alcohol shall either hold a Person Licence or shall receive relevant training before making any unsupervised sales. The training shall include:
 - a. The Licensing Act 2003 in terms of licensing objectives and offences committed under the Act;
 - b. The terms and conditions of the Premises Licence;
 - c. The sale of age-restricted products. Age-restricted products training shall cover the following steps:
 - i. The assessment of age;
 - ii. How and when to challenge for proof of age;
 - iii. Acceptable proof of age and how to check; and
 - iv. Recording refusals.

This training shall be refreshed once per year. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained at the premises and made available to the Police or authorised officers of the Licensing Authority upon request.

6. The Premises shall operate security including the use of SIA door staff as and when required having undertaken a risk assessment. A copy of the security policy and risk assessment will be provided to the police licensing officer upon request.

Prevention of Public Nuisance

7. The Premises shall display signs at each exit issuing reminders that customers should depart the Premises quietly having regard to the neighbours.
8. The Premises shall, at the main entry, display information relating to the nearby bus stops, taxi ranks and Underground Stations.

9. The Premises Licence Holder shall appoint a dedicated taxi or mini cab company or companies. Staff shall offer to book cars on behalf of patrons. After midnight, all patrons seeking licensed vehicles will be encouraged to remain inside the Premises to await their vehicle.
10. The use of the private external courtyard on the lower ground floor (the Co-Worker's Garden) shall not take place between 21:00 and 07:00 hours.
11. The use of the Square for licensable activities shall be limited to one weekend per month except in July, August and December when the use shall be limited to *ten* days per month and on all days between the hours of 11:00 and 21:00 for the sale of alcohol and from 11:00 to 21:00 for regulated entertainment other than on New Years Eve when the hours are 10:00 to 0100 the following morning.
12. The roof terrace shall not be used between 23:00 and 08:00 and shall only be used for the consumption of alcohol and showing of films with no publicly audible dialogue or music.
13. All external doors and windows shall be kept closed between 23:00 and 07:00 during the provision of regulated entertainment, except for immediate access and egress.
14. All speakers are mounted on anti-vibration mountings to prevent vibration transmission to neighbouring properties.
15. The Premises shall use electronic noise limiters to ensure that all amplified sound from the Premises is within agreed limits as agreed with the Environmental Health Officer.
16. No deliveries shall take place between the hours of 22:00 and 07:00.
17. The emptying of refuse in external areas shall not take place between 22:00 and 07:00.
18. Before the commencement of Regulated Entertainment, an acoustic report will be prepared and lodged with the Environmental Health Officer. All recommendations in the report shall be complied with.
19. The Premises shall operate a dispersal policy and noise management plan and all staff shall be trained in their implementation. A copy of the policies and written records of

this training shall be retained at the premises and made available to the Police or authorised officers of the Licensing Authority upon request.

20. No drinking vessels are permitted to leave the premises, other than takeaway drinks from the café or into the Square when licensable activities are permitted under the benefit of this Premises Licence.
21. No music will be played in, or for the benefit of patrons in external areas of the premises save for events permitted under this licence in the Square.
22. No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior of the premises or in or near any foyer, doorway, window or opening to the premises save in respect of events permitted under this licence in the Square.
23. A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date, time and subsequent remedial action undertaken. This record must be made available at all times for inspection by Council officers.
24. All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.
25. Illuminated external signage shall be switched off when the premises is closed.
26. Security lights will be positioned to minimise light intrusion to nearby residential premises.

Public Safety

27. Glassware shall not be permitted on the Town Hall Square.
28. Prior to the commencement of licensable activities, the Premises will have the benefit of a Means of Escape Assessment, which needs to specify the capacities for the different areas in the venue, a copy of which will be lodged with the Fire Authority & the Licensing.

Protection of Children

29. People under the age of 18 shall not be permitted on the premises during licensable activities unless accompanied by a parent, guardian or responsible adult (other than until 2200 in the Retail, Foyer and Café areas shown on the plan attached to the premises licence and in the Town Hall Square at any time) or where attending an age appropriate screening in the cinema.

Additional Conditions Agreed with the Metropolitan Police

3. ***All Licensable activities in the town Hall Square and Town Hall Gardens shall cease at 21.00 hours.***
4. ***Where the Town Square is intended to be used for Regulated Entertainment at any time the following conditions shall apply.***
 - a. ***The Premises Licence Holder shall notify the Licensing Authority in writing of the proposed date of any such occasion no later than two weeks before the date of it.***
 - b. ***The Premises Licence Holder shall consult and engage with the Police and Licensing Authority, and this will include where necessary, discussing all aspects of the event, including the promotion of the four licensing objectives under the Licensing Act 2003 with the Police and Licensing Authority.***
 - c. ***The results of this event planning process shall be compiled into an Event Management Plan. The Event Management Plan is a work in progress throughout the planning process. It will also contain relevant risk assessments used by the premises licence holder to deliver the event.***
 - d. ***The Event Management Plan shall be prepared in consultation with the Police and Licensing Authority and a final copy of the Event Management Plan shall be lodged with the Licensing Authority no less than 14 days before the event.***
5. ***Any external events will be prior assessed for the use of additional barriers to maintain crowd control and prevent disorder.***
6. ***The use of pedestrian barriers shall be utilised on festival days.***

- 7. Security will be stationed at the entrance and exit of the pedestrian barriers when in use, to monitor the amount of people in the square to avoid overcrowding, disorder and crowd control.***
- 8. The balustrade on the roof terrace shall comply with the appropriate building regulation standards before it is used by members of the public.***
- 9. The premises will use SIA accredited personnel on the roof terrace where the roof terrace is open to the public after 20:00 of Fridays and Saturdays. The need for SIA security personnel at other times will be risk assessed and the recommendations of that risk assessment shall be implemented.***

7. NEW ITEMS OF URGENT BUSINESS

There were none.

CHAIR: Councillor Anna Abela

Signed by Chair

Date